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FARTHING.—The type is similar to that of the half-penny; the legend on the obverse and reverse, as ascertained from several coins, is CARO OR CAR · D · G · MAG · BRI, and FRA · ET · HIB · REX. Fig. 6 weighs 41·6 grs.

When Mr. Lindsay first published a few of these coins in 1839,¹ the clue to their history had not been discovered, but no difficulty now exists in identifying the copper money coined by order of the Confederates, who testified the loyalty professed in their proclamation, by adopting the type and legends of the copper farthings of Charles I., issued in 1625.

The proclamation ordered "that everie pound of copper be made to the value of 2^s 8^d," that is, sixty-four half-pence, by tale to the pound Troy of 5760 grains, which fixes the weight of the half-penny at ninety grains. This standard does not appear to have been regarded, for the respective weight of thirteen half-pence ranges from 53·3 to 124·9 grs., the average weight being only 73 grs. The weight of the farthings ranges from 40·1 to 59·9 grs.

These coins are made of "red copper," and each piece is polygonal, the blank having been clipped to match the size of the die, without taking into consideration the thickness of the metal, which accounts for the remarkable difference in weight already noticed.

They were struck with so little care, many of them present only a small portion of the impression, and the examples now published have been selected as the best and most characteristic from a large number, which exhibit many varieties in the form of the crown and harp.

(*To be continued.*)

THE PLANTATION OF THE BARONY OF IDRONE, IN THE COUNTY OF CARLOW.

(*Continued from vol. ii., n. s., page 428.*)

BY JOHN P. PRENDERGAST, ESQ., BARRISTER-AT-LAW.

SIR Peter Carew died without issue, but he had two cousins, Peter and George Carew, who were the objects of his affections, and whom he had invited over to Ireland, where they were engaged in the military service of the Queen.

It has been already mentioned that Sir Peter Carew, on quitting

¹ "Coinage of Ireland," p. 56, and Sup. Plate IV., Fig. 82 to 88. See also "Trans.

Kilkenny Arch. Soc.," vol. i., p. 449., and Plate.

Leighlin to take up his residence on the estates he hoped to recover in Cork, gave over his house at Leighlin Bridge, with the whole entertainment of the garrison and charge of the barony of Idrone, to his kinsman, Peter Carew. He was eldest son of George Carew of Upton Hillion, in the county of Devon, an uncle of Sir Peter Carew.¹ Upon Sir Peter's death, the Idrone estate passed to young Sir Peter.

By an Inquisition preserved in the Court of Exchequer in Ireland, it is found that Sir Peter Carew, deceased, by a feoffment, afterwards confirmed by his will, gave the barony of Idrone, after his own death, to the use of his wife, Margaret Talbois, for life, and after her death to Peter, the eldest son of Sir George Carew, his uncle, and his heirs male, remainder to George (afterwards so celebrated as Earl of Totness and President of Munster), second son of the said Sir George Carew and his heirs male, with various remainders over.²

Sir Peter, it may be remembered, had been appointed by the Queen Constable of the Castle of Leighlin; and, upon his death, immediate suit was made on behalf of young Sir Peter to succeed him in the office.

On the 9th December, 1575, Sir Francis Walsingham writes to Sir Henry Sidney:

"We have heard the news of the death of good Sir Peter Carew. Earnest suit is made here for the establishing and maintaining of his cousin Peter (whom he hath made his heir to his lands in that realm in the barony of Idrone), and forasmuch as it is given to understand that the same shall be hardly kept unless he have also her Majesty's Castle of Leighlin in keeping, as Sir Peter had.

"And forasmuch as I have learned, that the upholding of a true and trustie Englishman in those parts shall stand much to the advancement of her Majesty's service, as well as the repressing of the Irishrie in those parts, I am moved to be an intercessor unto your Lordship, that it may like you to shew him as much favour, as well by placing him as aforesaid, as by aiding him with such persons as are meetest to hold him in his strength for the keeping of him in his inheritance, and to hold the country in good obedience."³

Peter Carew, the younger, was accordingly appointed Constable of Leighlin Castle, and so continued until his death in 1580. This occurred in an attack made by order of Lord Grey de Wilton, just then appointed Deputy of Ireland, on the stronghold of Fay, the son of Hugh O'Byrne (Fiagh M'Hugh O'Byrne), in Glenmalur, in

¹ See Carew pedigree. "Life and Times of Sir P. Carew," by Maitland. Appendix.

² Inquisitiones post mortem. Dudleigh

Bagnal. Elizabeth, No. 3. County of Carlow.

³ Collins's "Memorials of the Sidney Family," vol. i., p. 389.

the county of Wicklow, about twenty miles from Dublin. It was during Lord Baltinglass's rebellion (the only rebellion of the Pale), which, though grounded on the grievances of the Lords of the Pale, of course found ready sympathizers among that nobleman's neighbours, the mountaineers of Wicklow. Fay, son of Hugh O'Byrne, called by Sir John Perrott "the firebrand of the mountains between Dublin and Wexford," was head of the clan of the O'Byrnes.¹ Secure from attack in his inaccessible house of Ballinacorr, adjoining the Vale of Glenmalur, "he hung" like a sword "over the neck of Dublin."²

He was now aided by one of the Fitzgeralds with a company of revolted soldiers and "the remnants (as the scribe in the Four Masters calls them) of the O'Mores and O'Connors who were not extirpated by Sir Henry Sidney."

Lord Grey de Wilton, within six days after his arrival in Dublin, anxious to signalize his office of Lord Deputy, marched from the Castle of Dublin with a considerable force, including both Peter and George Carew, for an attack on Fay's stronghold, which was a deep wooded glen.

Lord Grey, inexperienced in Irish warfare, ordered Peter Carew (though warned of the danger by Francis Cosby) to dismount and lead his men down through the wood, while he himself on horseback, with Jaques Wingfield, George Carew, and others, watched the operation from the higher ground.

The party under Peter Carew were soon attacked at a disadvantage by Fay's men, and were obliged to fly with serious loss, including Peter Carew, who, incumbered with his armour, and fatigued with running, fell in some boggy ground, was seized, stripped, and, while Fay and others were endeavouring to save him, he was treacherously slain by one of Fay's swordsmen. George Carew would have gone with his brother, but his uncle, Jaques Wingfield, who had his doubts of the result of this rash proceeding, forbade him, saying, "No: though I lose the one, yet I will keep the other."³

George Carew, under the limitations of Sir Peter's will, now succeeded to the lands of the barony of Idrone, and was also appointed Constable of the Castle of Leighlin in the room of his brother Peter, but his Munster claims being enough to occupy his whole attention, he sold his estate of the barony of Idrone, in the year 1585, to Dudleigh Bagnal.⁴

Dudleigh Bagnal was a younger son of Sir Nicholas Bagnal, who,

¹ "Life of Sir John Perrott," p. 16. Small 4to. London. 1626.

² Spencer's "View of Ireland," p. 81.

³ Hooker in Holinsbed, vol. vi., p. 435.

⁴ 10th February, 1584-5, Inquisitiones post mortem. Dudleigh Bagnal preserved in the Exchequer, County of Carlow, No. 3.

in the year 1565, was made Marshal of the army by Queen Elizabeth, in consideration, so the Patent runs, of his good and acceptable service performed to King Henry VIII., to King Edward VI., to Queen Mary, and to Queen Elizabeth herself.¹ Dudley was brother to Sir Henry Bagnal, who, on the death of his father, Sir Nicholas, in 1583, was made Marshal in his room.² The Bagnals were from Staffordshire, and Sir Nicholas Bagnal was the first of the family that came to Ireland, arriving in the year 1542.

He settled at Newry, in the county of Down, having in the year 1552 received from King Edward a grant of the lordship of Newry, and the dissolved Abbey, and extensive lands thereto annexed; also the Lordship of Green Castle and Mourne.³

The Marshal's life seems to have been passed in the wars in Ireland, and his sons Henry, Dudley, and Ralph were all officers in Queen Elizabeth's army, and were born, bred, and died amidst the conflicts and tumults of that troubled reign in Ireland.

It may well be presumed that Dudley Bagnal was of a different temper and character from Sir Peter Carew the elder. It would be hard indeed to find a man of Sir Peter's qualifications. With his freedom from prejudice (the character of a man that had seen the manners of many nations and cities of the world), with his hospitality and soldierly qualities, he was well suited to govern the Irish. Depending altogether on the will of their landlord for their security and good treatment, they placed inestimable store on his personal disposition. The fears of Sir Peter's tenants had early presaged the possibility of his selling his estate in Idrone. A rumour to that effect got abroad once during his absence in London, and so dismayed his tenants that the whole management of his estate was interrupted, and Sir Peter was informed that, unless he came over to disabuse their minds of this false tale, it was but lost labour to travail in his business.

"Your tenants," writes Hooker, "do verily refuse to take any estate at all, other than at your own hands . . . because they are informed that you do minde and intend to sell or conveighe the same to some one of the Earls of this land, which, if you should do so, then, besides the rents which you compounded, they shall stand at such devotion [i. e., in such thralldom], as which they do curse the time to think upon. . . . But assuredly, if you do mind to come over yourself, you shall be assured to set the same at such rate, price, and rent, as you will yourself: for so as they may have you to be their defender, and to be free from such governors as whom they fear to offend, they care not how far they do strain themselves."⁴

¹ "Liber Hiberniæ," vol. ii. part ii., p. 139.

² *Ib.*, *ib.*

³ *Inquis. Ultoniæ*, Down, No. 15, "Ar-

thur Bagnall." Jac. I. Printed Inquisitions of Chancery.

⁴ "Life and Times of Sir P. Carew," by Maclean. Pp. 248-9.

Sir Peter, as we have seen, confirmed the principal gentlemen of the Kavanaghs in their possessions, and did not seek to remove any of the inferior families from their holdings, but made them his tenants by lease.

Dudleigh Bagnal, nursed up in conflict with the Irish, held them, probably, in contempt, and they, probably, repaid his scorn with hatred. Be that as it may, he was not eighteen months in possession of his estate in Idrone before he was murdered. The cause of it was, of course, the land question. He would not permit Donough and Murtough Kavanagh to live on the lands given by Sir Peter Carew to their father.

Murtough Kavanagh, the elder of the Garquill, was the chief of his name, and father of Donough and Murtough Oge, above mentioned. His chief house was the Castle of Rathnegarry, in Idrone, but he and his family dwelt at the Garquill adjoining to it.¹ It seems that Dudleigh Bagnal, after he had bought the barony of Idrone, was not content to let the Kavanaghs continue in possession of certain lands which they had been permitted to enjoy under the Carews, and, consequently, an ill feeling was engendered.

About the 30th of November, 1586, Henry Hern, son of Sir Nicholas Hern, and brother-in-law of Bagnal, having lost four cows, proceeded with twenty men to the house of Murtough Oge, chief of the Kavanaghs, who was at this time upwards of seventy years old. They entered the house with their swords drawn, which the old man seeing, attempted to effect his escape, but was taken and brought before Mr. Hern, who laid to his charge that one of his sons had taken away the cows.

Murtough Oge fairly promised to pay for the cattle if this could be proved, and appealed to the sessions; but this would not satisfy his accusers, who barbarously put him to death. This led to a deadly feud. In the following spring Murtough's two sons, Murtough and Donough Caraghe, assembled their followers with a determination of avenging their father's death, and on the 21st May, 1587, with twenty men they attacked a place called Ballymoiva, which they plundered, and then returned with the expectation of being followed by Bagnal, in anticipation of which they had set an

¹ The Garquill is the same as Garryhill, at present the property of the Earl of Bessborough. There is a mansion on it, built some 80 or 100 years ago, still occasionally occupied by the owner for a few weeks in the year. About the place are certain marks of antiquity, a few ancient trees, two remarkable old gate piers, standing in a field in front of the house, and, in the garden, part of a very ancient wall. Near the house, in

the rere, is a circular enclosure within a ditch, apparently the site of some old Irish dwelling. Garryhill has evidently been, from remote times, the chief place of a district. It commands a most extensive view on all sides, and lies on the road from Myshall to Bagnalstown, being about five miles from the latter. At the distance of a mile and a half from Garryhill are seen the ruins of Rathnaree Castle.

ambush of forty men to intercept him. Nor were they disappointed. Mr. Bagnal pursuing fell into the trap, and with thirteen others was slain. He was found to have received sixteen wounds above the girdle, one of his legs was cut off, and his tongue was drawn out of his mouth and slit.

These details are all taken from the contemporary account written by Henry Sheffield to Lord Burleigh,¹ and, in addition to the judgment thus pronounced on the injustice of Dudleigh Bagnal's proceedings, Sir John Perrott seems to have formed the same opinion of his conduct, for, after giving a similar account, and stating that Donough and Murtough Kavanagh assigned those acts of Dudleigh Bagnal as the cause of their rebellion, he seems to have taken them into protection, and advocated their pardon.²

Dudleigh Bagnal, at his death, left his son Nicholas, an infant, his heir-at-law, to whom, of course, the estate of Idrone descended. The castle and mansion-house attached to it at Leighlin Bridge, where Dudleigh resided, were held, however, merely in right of his Constablership of the Castle, and now passed to Ralph Bagenal, Dudleigh's brother, the uncle of the minor, who got himself appointed Constable, and, on Ralphe's death, to Sir Henry Bagnal, the eldest brother of Dudleigh, who succeeded him in the office.³

It appears, from a very curious recital in the patent of office, appointing Nicholas Bagnal to the Constablership of Leighlin Castle on his coming of age, that at the time of the purchase of Idrone by Dudleigh Bagnal, Sir George Carew got permission to surrender the Constablership, with the house and lands attached to the Castle (so necessary to the management of the estate), to Dudleigh. On Dudleigh's death, however, Sir George's surrender not being complete, Ralphe Bagnal, Dudleigh's brother, got liberty to stand in Dudleigh's place, but he, too, died before the transaction was perfected, whereupon Sir Henry Bagnal, the elder brother of Dudleigh and Ralphe, entered into possession of the castle and premises at Leighlin Bridge, and occupied them until his, Sir Henry's, death, which occurred at the fatal overthrow of the English forces at the battle of the Blackwater, near Armagh, in the month of August, 1598, where he was killed, leading the Queen's army against his brother-in-law, Hugh O'Neill, Earl of Tyrone, then in revolt.

Upon Sir Henry Bagnal's death, Sir George Carew found himself liable to large arrears of rent, due to the Queen for the premises attached to the Castle at Leighlin Bridge, as Sir Henry Bagnal had neglected to discharge the rent during his occupancy, and the surrender of Sir George Carew's interest and patent had not been pro-

¹ "Life of Sir P. Carew," by Maclean, p. 254 n.

² "Life of Sir John Perrott," p. 122.

³ The uncles, probably, took the office to secure the residence for their nephew during his minority.

perly completed at the time of Ralphe Bagnal's death, so as to discharge Sir George, and fix the legal liability on the Bagnals. In these circumstances Sir George Carew applied to Lord Mountjoy, the Lord Deputy, for an appointment to be made to a nominee of his own, anticipating probably (what actually happened) that Nicholas Bagnal, son and heir of Dudleigh, who was now near of age, would be willing to take up the Constablenesship, and pay the arrears of rent rather than that a place of such importance and value to the owner of the barony of Idrone should be occupied by a stranger.¹

Accordingly, on the 5th of October, 1602, Nicholas Bagnal was appointed Constable of the Castle of Leighlin, and in the year 1605 had livery and seisin (i.e., delivery and possession) granted him by the king of his estate, which as tenant in capite (i.e., holding immediately of the king), had been in the enjoyment of the Crown or the Crown's nominee, during his minority.

Nicholas appears to have been the last of the Bagnals that occupied the castle and mansion at Leighlin Bridge as his residence,

¹ "Sir George Carew, by letters dated from the camp at Carew Castle, addressed to Lord Mountjoy, signified his willingness for passing the office of Constable to Nicholas Bagnal, and the cancelling of his (Sir George Carew's) patent, viz., by the allowance of the Lord Deputy and Council he conveyed over an estate thereof, as also of certain lands annexed thereto (for which there was a great rent reserved to the Queen, together with the inheritance of the barony of Idrone, which neighboured the same), to Dudley Bagnal, Esq., who, before he obtained patent thereof in his own name, was unfortunately slain, and then the same reverted to Sir G. Carew, who conveyed the same to Mr. Ralphe Bagnal, his brother, who also died before Sir George Carew's patent was surrendered, whereby the same reverted to him again. Sir Henry Bagnal, during his absence in England, entered and enjoyed the profits thereof during his life, and in all that time never paid her Majesty the growing rents, due out of the lands annexed to the said Constablenesship, but left the arrearages of rent chargeable on Sir George Carew, who, as Constable, was answerable. Therefore, upon notice thereof, Sir George Carew, when he was with the Lord Deputy at Kilkenny, prayed his Lordship's warrant to possess himself of the said house and lands of Leighlin, whereunto he only was patentee, which the Lord Deputy accordingly did, and, by virtue of his warrant, Nicholas Hermon, as

his Vice-Constable, still continued in the same. Upon which his entry, Master Nicholas Bagnal, son and heir to Dudleigh, to whom Sir George first made sale thereof, besought him that he might have the benefit of the bargain, and what he intended to pass, which, although by law he could not challenge; yet Sir George, conceiving himself bound in conscience to accomplish that to the son which he at first intended to the father, and perceiving the young gentleman to be of a good forward spirit, his principal living and fortune depending thereon, without which the barony of Idrone could do him little good, nor the Constablenesship be well maintained and supported, except the office and the barony were both in one man's hands, was contented, so as he would clear him of the arrears, to surrender his whole estate therein. Which being done, Sir George besought the Lord Deputy to cause the old patent to be cancelled, and a new one to be passed to the said Nicholas, also desiring his Lordship to give special order that the lands belonging to the Abbey, whereon the Castle was built, and which lay near to the house of Leighlin, might not be divided from the house, but granted by new lease to the Constable, lest, by disposing of them to a stranger, controversies might be nourished, and thereby her Majesty's house endangered. Patent, accordingly, to Sir Nicholas Bagnal, October 5, 1602."—"Liber Hiberniæ," part ii. p. 126.

for the next Constable was a stranger,¹ and it was owing, probably, to the circumstance of the Bagnals losing the Constableness and the official residence attached to the Castle, that they built a residence for themselves about two miles to the east of Leighlin Bridge, called Dunleckny House, where they continued to reside, and from whence they were always afterwards known as of Dunleckny.

There is now to be passed over a period of nearly forty years that preceded the year 1641, which Lord Clarendon portrays as forty years of peace, during which men, as before the Flood, were eating and drinking, marrying and giving in marriage, until suddenly came the night of the 23rd of October, 1641, with the breaking out of the great Irish Rebellion, when all that had hitherto been called prosperity was to give place to ruin and desolation.

This period was one of great improvement in Ireland. Plantations similar to that of Idrone, but managed more "thorough" than, to the regret of Sir Henry Sidney, Sir Peter Carew chose to manage his barony, had been taking place all over the kingdom. New English planters, proprietors, and tenants, were flocking over, and new buildings and improved farming were to be seen in various parts.

The Munster plantation, formed by Queen Elizabeth, of gentlemen out of Cheshire and Lancashire, and others from Devonshire, which had been swept away on the outbreak of Tyrone's rebellion in the North, "making the work of years to be the spoil of days," as Bacon says, was renewed. The Ulster plantation had been growing for about thirty years. Leitrim was just planted. Sir John Davis, fetching over from the treasury at Westminster the old engagement made by the Byrnes, Kavanaghs, and others, with King Richard II., to quit all the lands they held within the line of the Barrow, had the king's title found to all the lands comprised within the line of the Slaney and the sea as far north as Arklow River, and King James I. formed a well-defined and well-secured plantation in that part of the county of Wexford.² Lord Strafford had commenced another plantation in the county of Wicklow, on the lands held for ages by the Byrnes. And, following Sir John Davis's plan of hunt-

¹ April 2, 1609: H. Fisher, Gent., appointed Constable of the Castle of Leighlin, vice Bagnal, deceased.—"Liber Hib.," part ii. p. 126.

² "The new plantation intended in the county of Wexford, in the province of Leinster, is to be made in the two baronies of Gowry and Ballakenny, and the half barony of Skerriewalshe, which contain (as they are estimated by Survey), about 66,800 acres of land, all lying together on one continent, betwixt the River of Slaney on the south, and the River

of Arklow north, the sea on the east, and the bounds of the counties of Catherlagh and Kildare on the west; whereof the profits and occupation have been for many years in the several septs of the Kavanaghs, Kinsalaghs, Mac-Saddoes, Mac-de-Amoores, and Murrroughs. . . . His Lordship (the Lord Deputy) resolved on a project for the division and plantation of those counties. . . . Of 57 natives, 21 are still to retain their ancient habitations. All the residue of the inhabitants, estimated to be 14,500 men, women,

ing up old defective titles, he had the king's title found to the whole of Connaught, and "a noble English plantation was designed,"¹ and the town of Galway, it was thought (if the scheme had not been suddenly cut short by cutting of the Earl of Strafford shorter by the head), might have become another Derry on the west.

So pleased was Sir John Davis with the improved prosperity of Ireland, that he describes the year 1613 as a year of jubilee, the Sabbath of the land after its travails of 400 years² ("for the plagues of Egypt, though they were grievous, were but of short continuance, but the plagues of Ireland lasted four hundred years"³); when the strings of this Irish harp, which the civil magistrate doth finger, were all in tune, whence he conceived a hope that Ireland (which heretofore might properly be called the "Land of Ire," because the irascible power was predominant there for the space of four hundred years together), would, thenceforth, prove a land of peace and concord; and, as a proof of its peace and its progress, he declared it to be so free from crime that, for five years preceding, he had not found so many malefactors worthy of death in all the six circuits of Ireland as in one circuit of six counties, namely, the western circuit in England.⁴

"This state of peace and prosperity," in the words of Lord Clarendon, "continued for forty years," that is to say, from the end of Queen Elizabeth's reign up to the breaking out of the great Rebellion of 1641, "being such a calm (according to his account) as Ireland had not known since the twelfth century, with plenty and security, increase of traffic, and whatever else might be pleasant and profitable to a people."

And it was a period of progress and improvement,—improvement of the new demesnes and farms in the occupation of the English and Scottish planters, and a period of calm produced by the decay and despair of the Irish race, which saw no means of further resisting the confiscation and plantation of their ancient inheritances.

The new proprietors were full of the enjoyments of their lately acquired properties, "vineyards they had not planted, and houses

and children, may be removed at the will of the patentees."—"Report of the Commissioners made to the King (A. D. 1613), concerning the general grievances of the kingdom." 1 "Desiderata Curiosa Hibernica; or, Collection of State Papers, illustrating the government of Ireland during the reigns of Queen Elizabeth, James I., and Charles I."—Vol. i., p. 376. 8vo. Dub. 1772.

¹ Sir R. Cox's "Hibernia Anglicana," part ii. p. 56.

² "Discovery," &c., pp. 303, 304.

³ Sir J. Davis would have agreed with the poet's description of Ireland's continued misery, who, however, had to add two centuries more of misfortune elapsed, since that greatest of Irish Attorney-General's prophecy of prosperity—

"Hapless nation, rent and torn,
Early thou wert taught to mourn;
Warfare of six hundred years,
Epochs marked by blood and tears."

⁴ "Discovery," p. 200.

they had not builded." Everything to them wore the aspect of happiness and prosperity, for they were happy and prosperous themselves. Yet there were statesmen who foresaw danger and future misfortune amid all this prosperity. They were aware that this prosperity was founded in the midst of a secretly discontented and unhappy nation, though deprived of arms and of hope of redress. They knew how grieved the Irish were to leave their possessions to strangers, which they had so long after their manner enjoyed, as Sir John Davis contemptuously describes it,¹ even though it were but "a scrambling kind of possession," on which "they had never planted orchards or gardens."²

Had they chosen to listen to the native writers, they would have heard from them their opinion (at the very same date) of the cruelty of driving out the owners from their native homes with charges of children—no property but a few cows and garrans—no trade but tillage and pasturage; men, however, of lofty spirit and vigorous frames, who would rather hunger and want in their own soil than feast in a foreign country. These men, it was said, in mere despair, might, perhaps, fight for their homes, and prefer to be drowned in their own blood near the graves of their forefathers, like the Scythians to whom they were said in race to belong, than be driven as exiles to an unknown country, or be buried on an unknown shore.³ "Of old," says Rothe, in his "*Analecta*," "we might fear the sound of the trumpet and the brandishing of the sword, but now what else do we hear of and dread, than the inextricable questions of our forefathers' religion and our forefathers' possessions; questions about our faith, our farms, our estates; about plantations and supplantations; about putting a new face on this old country; about extending the new colonies of strangers; about spreading a new religion; about confirming old estates by new titles; and heaping on the inhabitants fresh injuries."⁴

Sir Edw. Phillips, who was sent over by King Charles I., in 1627, to survey and report upon the Ulster plantation, foresaw the dangers to be apprehended from the secret discontents of the Irish, and prophesied for it, in consequence of the settlers' disregard of these injured feelings of the native inhabitants, and the careless security in which they lived amongst them, a fate similar "to the lamentable case of the Munster plantation after the Blackwater overthrow, yet fresh in our memories."⁵

Archbishop Usher, in the same year, addressing an assembly of

¹ Letter to the Earl of Salisbury, of the State of Ireland, 1610, "Discovery," p. 284.

² *Id.*, p. 280.

³ "*Analecta sacra nova et mira de Rebus Catholicorum in Hibernia. Collectore et Relatore, T. N., Philadelpho*, pp. 259-60.

(David Rothe, Roman Catholic Bishop of Ossory). Printed at Cologne," A. D. 1617. 12mo, pp. 581. Dedicated to the Prince of Wales.

⁴ *Id.*, pp. 204-5.

⁵ Harris's "*Hibernica*," vol. i. p. 131.

notables at the Castle of Dublin, composed principally of the ancient nobility and gentry of English extract (who were chiefly Roman Catholic), which met to consider of raising funds for supporting a standing army, on account of an apprehended invasion from Spain, relied, as his principal argument for the measure, upon the discontent of the Irish, on account of their being dispossessed of their lands. He warned them that they would have, in the event of invasion, to meet the attempt of the Irish to re-establish themselves in their ancient possessions, "for this (said my lord) you may assure yourselves 'Manet altâ mente repostum,' in other words, lies at the bottom of their hearts."¹

In all rebellions previous to the civil war of 1641, the "Old English," though Roman Catholic, and the Milesian, or native Irish, had been opposed to one another, but already, in 1614, their union was presaged, on account of the late plantations of new English and Scottish in all parts of the kingdom, whom, with an unanimous consent, both reputed as a common enemy:

"The general ill affections to the state increasing on this account, as well as for the cause of religion (whereby they are united), the next rebellion [adds this statesman], whensoever it shall happen, doth threaten more danger to the state than any that hath preceded."²

The barony of Idrone was at this period in possession of Colonel Walter Bagnal. He was grandson of Dudleigh Bagnal, the first purchaser, slain, as has been mentioned, by the Kavanaghs, which Dudleigh was son of one Marshal of the English army, and brother of another. Colonel Walter Bagnal was thus distant by but a few descents from the first Bagnal that left the ancestral home in Staffordshire to improve his fortune in Ireland.

Had Colonel Walter Bagnal, this Englishman at little more than three removes, been told that he was to forfeit, as being Irish, those very estates that the Kavanaghs had lost for the same cause, he would, probably, have called it a hard saying, difficult of belief. Yet so it happened. And if he had been versed in the story of Ireland, he would have found it but a common case.³

¹ "Present State of Ireland," p. 61. 12mo. London. 1673.

² A Discourse of the Present State of Ireland, 1614, per S. C. "Desiderata Curiosa Hibernica," vol. i., p. 430.

³ It has, indeed, been remarked from old time that the people of England regard with all the cold, bitter feeling of a stepmother, their own children, when once they transplant themselves to Ireland. The statutes of Edward the First's day prove that the "English by birth" in Ireland, i.e., the officials and others fresh from England, looked down on the "English by blood," as Irish landlords

were called in that day. The soldiery and other planters of Cromwell's day had not been settled twenty years in Ireland, when (in the debates of the English Parliament of 1667 on the Cattle Bills), they were regarded with almost as much scorn as the Irish Rebels of 1641. (See Carte's "Life of Ormond," pp. 332-3.) For years after the Revolution of 1688, the same spirit was exhibited to those lately planted from England in Irish soil, in the measures and debates concerning the woollen trade, which makes one of those English lately settled in Ireland exclaim, in 1698, that though the

One of the motives of that settlement of Ireland, which eventuated in the transplanting to Connaught, in the year 1653, of the remnant of the Irish nation left undestroyed by famine, pestilence, and the sword, was the difficulty that had been experienced at all times of preserving the English settlement in its integrity in Ireland.

"It has been observed," writes one of the principal promoters of that scheme, "that from the very day upon which peace hath been concluded, and the affairs of Ireland settled between the English and the Irish, the Irish have grown stronger and stronger, and the English weaker and weaker, whereby the Irish interest, after all former settlements, gained ground, and wearied out the English."

The Irish Statute Book is but a record of the same story. It might almost be described as the groans of England over her lost labours in the settlement of Ireland. The difficulty of maintaining the settlement in its English purity lay, in truth, in the very nature of things.

If, of matter, the greater mass of atoms attracts the less, it happens no otherwise with man, who never fails at length to be moulded more or less nearly to the model of the multitude he moves amongst. The English settlers, few in number, compared with the native Irish, must by sympathy be naturally prompted to adopt the manners and prefer the interests of those they lived with. There are principles of man's nature which interest him in the fortune of others, and render their happiness necessary to him, though he derive nothing from it but the pleasure of seeing it. The sociability of the Irish, their greater ease and animation of life, their freedom from the burden of the feudal system (for they knew nothing of forfeitures, of wardships, of marriages, of reliefs, of forest laws, or game laws), had great attractions; and mutual wants and common interests

English of Ireland be "bone of their bone, and flesh of their flesh," yet the English of England still treat them ever as Irish. And, he observes, how peculiar is their lot when they remove to Ireland, compared with settling in any other of the English colonies. "A man may travel out of England (he remarks) to Africk, Asia, America,—remove his family with him if he thinks convenient—live as long as he pleases in the English factories of those countries, and have sons and daughters born to him, and if he and they happen to return to England, they shall not be denied the title and privilege of English people. But let a man once land upon Irish ground, breath of that air, drink one dish of St. Patrick's well, and especially if he live there some few years, upon his return hither

(to England), he must rest satisfied with the odious character of an Irishman."—"A Discourse concerning Ireland, and the different Interests thereof. In Answer to the Exon and Barnstaple Petitions. Shewing that if a law were enacted to prevent the exportation of woollen manufacture from Ireland to foreign parts, what would be the consequences both to England and Ireland. Pro aris et focis," p. 46. Small 4to, 72 pp. London. 1697-8 (Anonymous, but written by the Rev. Mr. Thomas, Vicar-General of Tuam.) "The great Interest of England in the Well-planting of Ireland, with English people, discussed." By R. L., a member of the Army in Ireland. p. 5. 8vo. Dublin. 1656. Many similar quotations, to the same effect, might be added.

were continually tending to amalgamate the two races. But it was the Irish, as the more numerous, that necessarily absorbed the English.

Laws were continually enacted to forbid that union or amalgamation of two races in contact which follows by the law of nature, and to require that the smaller should maintain itself a separate and distinct people, dwelling amidst the daily life of the larger. The code called "The Statute of Kilkenny" is but one sample from the statute book. It not merely forbids the English in Ireland, under the severest penalties, to adopt Irish dress, Irish laws, and Irish customs, but even to hold commerce with them. The example of the Jews might have shown that this end could only be obtained at the cost of extirpating (as they were enjoined to do) the native and larger race by the sword. Now, among the many causes that attracted the English towards the Irish, there was a natural one of predominant and irresistible force. The daughters of Erin were fair, and the women of England not coming over in sufficient number with the men, the English took wives of the native race. The children of the Irish mother, surrounded from the very breast by Irish nurses and gossips, lisped their first wants and first likings in Irish, and the son of the Englishman grew up half an Irishman before he was a man.¹

This degenerating of the English, for so in their pride the English of the mother country termed it, began, it has been remarked, at the Conquest, when Strongbow married Eva, daughter of Mac-Murrough, which was excusable, perhaps, considering the fine fortune he received with her—no less than the kingdom of Leinster. But the ill effects of Englishmen marrying Irish wives had become so palpable by the reign of Edward III., that by the Statute of Kilkenny it was made high treason.² Lovers, however, "laugh at all

¹ About forty years after Cromwell's era, and only seven years after the battle of the Boyne, the following was written:—

"We cannot so much wonder at this (the quick degenerating of the English settlers in Ireland), when we consider how many there are of the children of Oliver's soldiers in Ireland, who cannot speak one word of English. And (which is stronger), the same may be said of some of the children of King William's soldiers, who came but t'other day into the country. This misfortune is owing to the marrying Irish women for want of English, who come not over in so great numbers as are requisite. 'Tis sure that no Englishman in Ireland knows what his children may be as things are now; they cannot well live in the country without growing Irish, for none take such care as Sir Jerome Alexander did, who left his estate to his daughter,

provided she married no Irishman, or any related to that interest."—"True way to render Ireland happy and secure, or a Discourse, wherein 'tis shown that 'tis the interest both of England and Ireland to encourage foreign Protestants to plant in Ireland." In a Letter to the Hon. Robert Molesworth. *Dubl.* Printed by Andrew Crook, A. D. 1697.

² "Article 2. Also it is ordained that no alliance by marriage, gossiped, fostering of children, or by amour, be henceforth made between the English and the Irish. . . . And if any shall do the contrary, and thereof be attainted, he shall have judgment of life and member, as a traitor of our Lord the King."—Statute of Kilkenny, 40 Edward III., edited by J. Hardiman, Esq. Irish Archæol. Society, "Tracts relating to Ireland," part ii., p. 9.

laws but those which Love has made," and the fearful penalties of the Statute of Kilkenny were as vain against the grace and attractiveness of Irish women, as were in after times the enactments of the Puritans,¹ and the methodized malignity of the Penal Laws. The penalties, however, were often paid; and, though the enactments of Edward the Third's day had been repealed some short time before Colonel Walter Bagnal's birth,² yet the forfeiture of his life and estate, and his being branded as an Irishman, may be considered as the penalty that followed his father's marrying an Irishwoman. Distinctions and disqualifications on account of race had, it is true, been done away with expressly by statute.³ But the English habit still brought privilege and power, and the Irish habit disqualification and disparagement.

Ireland, within little more than fifty years before the great era of 1641, had been largely colonized by new English. The new English, as the settlers were called that had taken lands in the plantations formed in every part of the kingdom by Queen Elizabeth, King James, and Charles I., formed a rival interest, not merely to the native Irish, whom they supplanted in their lands, but to the old English, whom they supplanted in power, and the favour of the Crown. They came over, not merely with all the newest tastes in farming, but with the strongest English prejudices. The ancient English settlers were, of course, less English than the new planters, and managed their estates and their tenants in a more Irish way, and stuck to many Irish habits, and, amongst others, to the Irish habit of religion.

Colonel Walter Bagnal, possessor of the barony of Idrone at the period of the Great Rebellion of 1641, was a Roman Catholic. He was grandson of Dudleigh Bagnal, the purchaser, whose eldest son, Nicholas, died in 1624, leaving an only son, who soon after died, unmarried, whereupon the barony of Idrone passed to George

¹ *Declaration of the Council for the Affairs of Ireland against intermarriages* :—

"Whereas the late Lord Deputy Ireton published a declaration (dated 1st May, 1651), wherein all officers and souldiers of the army were strictly forbidden to intermarry with any of the women of this nation that are Papists, or with any other that are or have been lately Papists (whose change of religion is not, or cannot be judged to flow from a real work of God upon their hearts), upon penalty of being cashiered the army, and made incapable of any future employment, which declaration hath been since renewed, continued, and published by the Commander-in-Chief on the 10th of March last. The said Commiss^{rs} of the Commonwealth, taking into consideration the weighty reasons of the sd Declaration,

and how fit it is that it should by all other officers and persons employed in this Country be observed, Do further Order and Declare that all Civil officers who shall intermarry with any of the women of this Nation that are Papists, &c., shall be suspended from their several employments, and according to the quality and circumstance of the offence be held incapable of future preferment. Commiss^{rs} of the Revenue to receive any information and make strict enquiry for offenders, and to return the names of all such offenders to the Comm^{rs} of the Commonwealth.

Dated at Dublin, July, 1653.

Edmd. Ludlow, Miles Corbett,
John Jones.

² 11th, 12th, and 13th Jas. I., c. v. Irish. A. D., 1612.

³ 11th, 12th, and 13th, Jac. I., c. 5

Bagnal, of Ballymoon, in the county of Carlow, second son of Dudley Bagnal, and father of Walter Bagnal.

George Bagnal had married Joan Butler, daughter of Walter, eleventh Earl of Ormond, and thus Colonel Walter Bagnal had a Roman Catholic for his mother, for the house of Ormond, like most of the ancient nobility of English race in Ireland, continued to be of the old form of religion after the Reformation in England. The great Duke of Ormond himself, grandson of this Walter, the eleventh Earl, was the only Protestant of his family,¹ and this merely by the accident of his being under age when the title and estates devolved to him, whereupon, as being one of the king's wards, he was put under Protestant guardians by the Court of Wards, a branch of the Court of Chancery, and brought up a Protestant.²

Colonel Walter Bagnal was brought up a Roman Catholic, and thus, though in blood entirely English, came almost necessarily to side with the Irish in the conflicts of 1641.

Until the rise of the rival power of the new English, the old English, as the Roman Catholic gentry of Ireland were designated, had enjoyed a monopoly of power. The native Irish were not only excluded from office, but were even disqualified from purchasing land in their own counties, in order to keep their interest in the reduced state it had been left by the new plantations of Scotch and English, made at its expense.

From the reign of James I., the old English found themselves debarred from office and power, on account of their religion, and saw with envy the monopoly which they had so long enjoyed transferred to their rivals—the new English.

They found themselves, in the face of this new interest, under the same disability with the Irish, and, thus identified in grievance, they were at length forced by circumstances into a union of interest and action with the Irish.

The troubles about religion had been increasing in England all

¹ In the year 1679, the time of the "Popish Plot," the Duke of Ormond thus wrote to Sir Robert Southwell:—

"—My father and mother lived and died Papists, and only I, by God's merciful providence, was educated in the Protestant religion My brothers and sisters, though they were not very many, were very fruitful and very obstinate (they will call it constant) in their way. Their fruitfulness hath spread into a large alliance, and their obstinacy hath made it altogether Popish. It w^d be no small Comfort to me if it had pleased God it had been otherwise." —The Duke of Ormond to Sir Rob^t Southwell. Carte's "Life of Ormond," vol. ii., p. 490.

² The effects of this education did not always prove so successful as in the Duke of Ormond's case. Sir Phelim O'Neale, the chief actor in Ulster in the Rebellion of 1641, was also educated, by order of the Court of Wards, in the Protestant religion; but he was no sooner out of wardship than he renounced the Protestant religion, and embraced the Roman Catholic faith. "As the Israelitish women in their songs celebrated David's slaying of Goliath, so the Irish in their ballads sung the praises of Phelim, for bringing over the heretics from the orgies of Calvin, to hear the venerable Sacrifice of the Mass."—Lynch's "Alithinologia," vol. ii., p. 45. In Latin. Printed at St. Malo's, A. D. 1664.

through the reign of Charles I., until at last, at the breaking out of the Civil War in 1640, these differences formed the symbol of contest between the King and Parliament. As a natural consequence, almost, of the great Rebellion in England, followed the great Rebellion in Ireland; and as, naturally, the old English and the Irish, who were united in points of religion, formed a common interest in favour of the King against the Parliament, whose principles as Puritan were most hostile to them.

They now formed themselves into an organized body, called the Confederate Catholics of Ireland, with a Government consisting of a legislative House of Assembly, composed of the three estates of Prelates, Peers, and Representatives of the Commons, and an Executive Council. In this Assembly, Colonel Walter Bagnal, by race and blood one of the new English, found himself united as a Roman Catholic, not merely with the old English, such as the Butlers, Barnewals, Plunkets, Nangles, Darceys, Esmondes, and others, but with the native Irish—the O'Moores, the O'Neills, the Kavanaghs, and others, whom his ancestors, about sixty years before, had been promoted and enriched for subduing. Colonel Walter Bagnal here sat as representative for the county of Carlow, and in the army of the Confederates had the command of a regiment of horse. It is not necessary to enter further into the history of this period, than to explain Colonel Walter Bagnal's conduct in reference to what is known as the Peace of '46, which formed a remarkable turning point in the affairs of Ireland.

At this period (the year 1646), the Confederate Catholics of Ireland were in possession of a considerable military force, divided into four armies, styled after the different provinces where they were raised, and which they had chiefly to defend—the army of Ulster, of Munster, of Leinster, and of Connaught.

The king's affairs at the same period had taken a very unfavourable turn in England, and his best hopes were now placed in obtaining military aid from the Confederate Catholics of Ireland, with whom he was ready to conclude a peace, on the terms of their advancing him a sum of £12,000 out of their treasury, and sending over 10,000 men to join his forces against the Parliament in England.

The conduct of the negotiations for this peace between the King and the Confederate Catholics was entrusted, on the King's part, to Lord Ormond, the Lord Lieutenant of Ireland, and to Commissioners from the Confederate Catholics on the other part; and the negotiations had been dragging on slowly for two years, by reason of the Confederates demanding greater freedom for their religion than Lord Ormond thought it safe for the King to grant. They demanded a repeal of all penal laws passed since the reign of Henry VII.; that their religion might be celebrated, in all its splen-

dour, as freely as at Paris or Brussels; and further, that they should keep all the churches and monasteries that they had got possession of during the war, which included those over five-sixths of Ireland. Lord Ormond declined to be a party to a peace on such terms; but the King, being resolved to get the aid of the Confederate forces at all hazards, sent over Lord Glamorgan to the Confederates at Kilkenny, commissioned to conclude a secret treaty, granting them their terms, on condition of their sending over the men and money he demanded.

An accident, however, exposed the whole of Glamorgan's secret treaty, and brought about a most complicated state of affairs. At the fight near Sligo, the Roman Catholic Archbishop of Tuam was slain, and the papers containing the terms of the secret treaty were seized among his baggage, and immediately printed and published by orders of the Parliament of England, to prejudice the King with the Puritans of England and Ireland. Lord Glamorgan being arrested in Dublin by Lord Ormond as for misusing the King's name, he defended himself by proving the authenticity of his commission, but, to relieve the King from the odium of making such concessions to the Roman Catholics, he produced another paper, called a defeasance, by which the King declared he would be no further bound than he might think fit.

On being released, Lord Glamorgan went to Kilkenny, and assured the Confederate Assembly that the latter paper, whereby the King pretended not to bind himself to what he engaged to do for the Roman Catholics, was merely done by way of "blindation;" in other words, was intended to deceive the English Parliament, and not to dissolve his obligations entered into with the Confederates.

The Council of the Confederates, who were extremely anxious for the conclusion of a treaty of peace, were content to accept Lord Glamorgan's promise that the King would fulfil all that he had undertaken as regarded the religious liberties of the Roman Catholics.

They, therefore, instructed their Commissioners to conclude the treaty with Lord Ormond, which was, accordingly, signed at Dublin on the 28th of March, 1646, securing the civil rights of the Roman Catholics, but omitting all mention of their religious liberties, which had been the subject of Lord Glamorgan's articles.

This proved extremely distasteful to Rinuccini, the Pope's Nuncio in Ireland, who had a very large party in the Assembly and throughout the country to support him. The Council, accordingly, became extremely anxious for their personal safety, and for the consequences that might result from proclaiming the peace, which had been suspended by agreement with Lord Ormond until the 30th of July, on which day it was proclaimed with all due ceremony in Dublin. No sooner did this occur, than the Prelates met in national Synod at Waterford, and on the 12th of August issued their decree

declaring the Commissioners who had signed the peace, and all who should accept it, perjured. Foreseeing the danger they would be in when it came to be proclaimed in Kilkenny, the Council of the Confederates induced Lord Ormond to proceed thither from Dublin on the 28th of August, with 1500 foot and 500 horse, "to countenance" this ceremony, which accordingly took place with all the splendour that the Lord Lieutenant's presence, with 2000 men, could give it.

The Nuncio, however, and the party opposed to the peace, secretly sent orders to Owen O'Neill, then with the Ulster army near Roscrea, to march with all speed towards Dublin to intercept Lord Ormond's return, and, if possible, to make a prisoner of him. At first Lord Ormond could scarcely credit the intelligence, and cast about to ascertain the truth of it; but,

"Whilst he was considering what party to take, the Earl of Castlehaven came to him, with a full account of the design laid to intercept him, and that both O'Neill's and Preston's armies were on the march to cut off his retreat, so that he had not a moment's time to lose, and must inevitably be lost unless he marched immediately to Leighlin Bridge with his troops, and having there passed the Barrow, and got that river between him and the enemy, endeavoured by long marches to gain Dublin. There was neither room nor time for dispute, and the Marquess of Ormond immediately joined his troops at Callan. Thence he dispatched orders to Sir Frederick Willoughby, who was still posted at Gowran Castle, to take up all the draught horses he could find in the plough, stables, or field, to put them into the waggons, and to march with all the forces as fast as possible to Leighlin Bridge, and possess himself of that pass, for they were all betrayed, and O'Neill was advanced with his army into the barony of Ballinakill, in the neighbourhood of Kilkenny When he came within three miles of Leighlin Bridge, he received advice that 100 men, under Colonel Walter Bagnal, were put into the fort at the Bridge end, and thereupon sent two officers to Bagnal, to know whether he might expect to find him a friend or an enemy. Bagnal returned a very civil answer, that the passage over the Bridge should be open, and that he might command any accommodation that the Castle could afford."¹

Colonel Bagnal's conduct on this occasion was, in fact, the salvation of Lord Ormond, who would have otherwise fallen into the hands of Owen O'Neill and his brave but ferocious² army, composed of the Ulster creaghts, then fresh from their triumph over the Scotch forces at Benburb; but, being allowed a passage over Leighlin Bridge, he was enabled to reach Dublin in safety on the 30th of Sept. 1646.

There now broke out an open schism in the Confederate Assembly, between the parties who supported the peace signed with Lord

¹ Carte's "Life of Ormond," vol. i. p. 582.

² They "gave out that if the Lord Lieutenant would not admit of Glamorgan's peace,

they would treat him (when they caught him) in a manner *too scandalous to be mentioned*."—Carte's "Ormond," vol. i., p. 581.

Ormond, and those who adhered to the views of the Nuncio, who condemned it as beyond the powers of the Commissioners, and declared them and all who adhered to it "perjurious," as acting contrary to the original oath of association, by which they were bound to secure their religious freedom. But the practical question now was, whether they should unite their forces with the King's, and thus together oppose the Parliament forces, which were every day growing stronger in England, or, by rejecting the peace, run the hazard of having to meet them alone. The King was a prisoner in the hands of the Parliament. The Parliament ships were in the Bay of Dublin. Many of those under Lord Ormond's command were well inclined to surrender Dublin to the Parliament, in which event it was foreseen by many that the forces of the Confederates would be unequal to cope with the Parliament arms, and they had already ample evidence of what fate they might expect in the event of their being subdued, both Houses of Parliament having passed resolutions that they would not allow a toleration of their religion in any of the King's dominions, and had, by various acts and ordinances, confiscated their lands, and assigned them for the payment of the expenses of the Irish war.

These differences about the Peace of '46 gave rise to most tumultuous debates in the Assembly, in which the party for rejecting the peace were the most numerous and powerful, and finally succeeded. Colonel Walter Bagnal, however, supported the peace. He considered that the faith of the Confederates was pledged by the act of their plenipotentiaries in signing it, and spoke against rejecting it as if he had a full vision of the calamities impending over his country, his family, and himself. There is extant an account of these scenes by an eye-witness, who was himself a member of the Assembly. He contrasts their conduct at this period, when the Assembly had been new formed in an irregular manner, with their former grave deportment—saying that their clamorous disputations, and horrid confusion of outcries of "I, I, No, No," were such as vexed the souls of some composed men, who had been witnesses, in former sittings, of their grave deportment; for though the House, in her best of times (he admits), fell into heat, and was loud in her "I's and No's," yet now it had grown clean another thing. The Bishop of Leighlin, who always sat upon an eminent bench at the upper end of the House, could, with waving his hat, raise such a storm from the middle seats and towards the door, that nothing could be heard for a long time after but the repeated thunder of "I or No," or that name which he first dictated to them.¹

¹ P. 429, "*Fragmentum Historicum*; or, the second and third books of the War of Ireland, containing the transactions in that

kingdom from the years 1642 to 1647." By Richard Bellings, Esq. "*Desiderata Curiosa Hib.*," vol. ii. p. 429. 8vo. Dubl. 1772.

Amid such scenes as these, Colonel Walter Bagnal, a “young man,” the reporter adds, “who, to the nobleness of his birth, and plentifulness of his fortune, had added a great stock of valour and many excellent parts,” spoke after this manner :—

COLONEL WALTER BAGNAL’S SPEECH.

“MR. PLUNKET,—When I consider the weight and importance of the matter now agitated, I do not wonder that we have spent so many days in the debate of it. . . . But when I observed men’s reasons are rather cried down than convinced, and that it is an impetuous storm, not a natural tide, that raises the sea of our passions to so exorbitant a height, I must confess I look upon it as a sad presage of the many miseries (if God prevent them not) which will befall us and our posterity.

“For I appeal to the consciences of all that hear me, if, when we were first compelled (for compelled we were) for safety of our lives and fortunes, and the defence of our religion, and our King’s right, to take up arms, we had then, while yet his Majesty was in power, been offered less advantageous concessions, we had not joyfully accepted them; and I cannot see that improvement in our condition which sh^d make us less willing to acquiesce.

“We have plenty of arms, you will say, which then we wanted; our armies are formed, and our affairs directed by a constant way of government. . . . But when we shall consider that the party in the Parl^t of Eng^d, which hath vowed the extirpation of our religion, and was then seconded but by the confused clamours of the multitude at London, hath armies at present, and the royal fleet at their command; that they who were then in their down, and w^d scarce adventure to hop out of their nests, do now fly all England over, we cannot be so partial to ourselves as to think our state so much improved beyond theirs, that we should now reject those conditions, which we would cheerfully have embraced at first.

“ . . . But now, Mr. Plunket, I shall beg leave of the House to recede from the ordinary custom, and to apply my speech to the prelates. My Lords, there was a time when our ancestors, at the peril of their fortunes, and with the danger of their persons, sheltered some of you and your predecessors from the severity of the laws. They were no niggardly sharers with you in your wants; and it cannot be said that the splendour of your present condition hath added anything to the sincere and filial reverence which was then paid you. We, their posterity, have with our blood, and the expense of our substance, asserted this advantage you have over them, and redeemed the exercise of your function from the penalties of the law, and your persons from the persecution to which they were subject.

“We are upon the brink of a formidable precipice—reach forth your hand to pull us back; your zeal for the house of God will be thought no way less fervent, that you preserved the Irish nation; and your judgment will not suffer for the attempt, when you give over upon better information. Rescue us, we beseech you, from those imminent miseries that environ us visibly. Grant somewhat to the memory of our forefathers, and

to the affection we bear yourselves; let this request find favour with you, made to prevent the violation of publick faith, and to keep the devouring sword from the throats of our wives and our children."¹

But all appeals were vain. The Nuncio's party were too fixed in their purpose to recede, and the peace was rejected.²

These solemn words of Colonel Walter Bagnal's have a yet deeper significance, when it is remembered that the whole audience he addressed were shortly afterwards visited with the woes he had predicted, and thus endeavoured, but in vain, to avert. It would almost seem as if he saw, like as in a vision, how the members of this great Assembly, comprising the most ancient of the nobility and landed gentry and prelates of the Roman Catholic Church of Ireland, were to be dispersed and driven as houseless wanderers into foreign lands; while his concluding words presaged his own worse fate, of being put to a cruel death by his enemies, while his wife sank, bereft of reason and broken-hearted, into the same grave, leaving their children to the mercy of those that had made them beggars and orphans.

These debates took place in Nov., 1646. In Jan., 1649, the King was beheaded. In Aug. of the same year Cromwell landed, and in March, 1650, Kilkenny surrendered, after a most gallant defence by Sir Walter Butler. The Leinster forces of the Irish, in which Sir Walter Bagnal had the command of a regiment of horse, held out for two years longer, and, finally, came in upon articles which were completed at Kilkenny on the 12th of May, 1652. The Delegates named by the Earl of Westmeath, Commander-in-Chief of the Leinster forces, to meet the Commissioners appointed by Edmund Ludlow, the Commander-in-Chief of the Parliament Army (among whom were Colonel Daniel Axtell, Colonel Richard Lawrence, Colonel Henry Prittie), were Sir Walter Dongan, Bart., Commissary-General of the Irish Horse; Lewis Dempsy, Lord Viscount Clanmalier; Sir Robert Talbot, Bart.; Sir Richard Barnewall, Bart.; Colonel Walter Bagnal; Colonel Lewis Moore; and Thos. Terrill, Esq.

The terms agreed upon were, that the Leinster forces should lay down their arms on the 12th of June following, except that each colonel of horse was to have allowed five horses and three cases of pistols, and other officers according to the measure specified in the first of the articles.

By the second article, the officers, except such as were thereafter excepted, were to have pardon for life and protection for themselves and for their personal estate, with liberty, if they should not be willing to submit to such terms as the Parliament might hereafter impose, to retire within three months into any foreign state in amity with England. But by the seventh article (which was the excep-

¹ "Fragmentum Historicum," &c., p. 440.

² Id., p. 444.

tion above referred to, and under which the Parliament leaders justified their act of putting Colonel Walter Bagnal to death), the benefit of the articles was not to extend to the exception of any person being questioned according to the due course of law, who had a hand in any of the murders that were committed upon the English or Protestants of Ireland, during the first year of the war. And this the English Commissioners of the Parliament forces further qualified by declaring that the exception should not extend to questioning the acts of soldiers in arms against any of the field forces of England, or others entertained in public pay in the defence of any castles on behalf of the English.¹

That Colonel Bagnal was incapable of murder in any ordinary sense of the word, is evident from his birth, his breeding, and noble character, as also from his fearlessly intrusting himself into the hands of the English army, an act which shows that he was conscious of no such crime. And the Commissioners of Government gave subsequent testimony to the cruelty he met with, by a certain remorse, as exhibited in their dealings with his son, to whom they were less severe than others of like condition,—yet for a charge of murder Colonel Walter Bagnal was detained a prisoner in Kilkenny, by the order of the Commissioners of Parliament.

It is by no means improbable that in an attack on some castle during the first year of the war, some of the garrison may have been killed while Colonel Walter Bagnal was in command of the attacking forces.

In many instances gentlemen assembled their English tenants, armed them, and stood upon their defence, endeavouring to hold out until the King's regular forces should be able to join them, and they might assume the offensive.

As these armed retainers would not be in the pay of the state (though to all intents and purposes engaged in the war), if any of them happened unfortunately to be killed in defence of their post, the commanding officer of the Irish force would, of course, come within the terms of the seventh article, and be liable to suffer death. In the case of Colonel Charles M'Carthy Reagh, a prisoner of war trying to escape, in the first year of the war, from a sentinel belonging to the forces under Colonel M'Carthy's command, endeavoured to wrest his musket from the hands of the soldier, who, in the struggle, shot the man. Colonel M'Carty was tried under the article for murder.

Fortunately, Colonel M'Carty was not actually present on the spot, or he had forfeited his life as guilty of murder. Lord Muskerry was tried on a similar charge, and was acquitted. Sir Richard

¹ Books of the Council for the Affairs of Ireland. Dublin Castle.

Everard, for some like act, was found guilty, but his sentence was changed to exile.

Colonel Walter Bagnal, however, being, unfortunately, first tried when there was a demand for victims, met harder measures, and could find no mercy.

During the period of his imprisonment he seems to have endured very harsh treatment from Colonel Axtell, Governor of Kilkenny, whose severity is well known. He denied him, at one period, not only the access of his friends, but even sufficient food for his wants. Such rigour arose, perhaps, from some attempt at rescue, of which, however, there is no mention in any of the letters about to be cited, but the date coincides with the publishing the Act of Proscription, under which the high courts of justice proceeded.

The first letter is dated 4th of September, and is as follows :—

“ Comm^m for the Affairs of Irel^d, to COLONEL AXTELL.

“ Tredagh, 4th Sep., 1652.

“ SIR,—We have rec^d a Peti^{ti}ōn from Coll Walter Bagnall desiring his wants and present condition to be taken into consideration. Wee desire you to take especial Care y^t there may be some effectual course taken y^t he do not perish for want of relief; and y^t out of the profitts of his estate and (if that cannot be timely gotten) then you cause soe much as you shall judge necessary to be paid out of y^e Treasury to y^t end soe that the same exceed not 20s. per week. This wee commend to your care, and your order to the Treasurer in writing shall be his warrant for the payment thereof.¹

“ Your &c.”

Though this letter may have obtained for Sir Walter Bagnal better treatment, in the way of food, the Commissioners were again obliged to interfere to obtain for him the access of his friends.

Same to Same.

“ Tredagh, 11 Sep., 1652.

“ SIR,—Since our last, touching Colonel Walter Bagnall, we received another petition from him, complaining that he is of late deprived the conversation of any friend. We do not know what extraordinary reason there may be for it, and, therefore, shall not give any positive direction in it. But we do think fitt, so far as may consist with the safe keeping of him, all civility should be shewn him, and that his friends may be admitted to him, Provided it be with your Licence, and that they come in such number and at such times as you shall think fitt, and that no discourse pass

¹ Books of the Council for the Affairs of Ireland. Dublin Castle.

between but in the presence and hearing of their keepers, and that in English. With some such caution these civilities (we suppose) may be shewed with safety. But we leave it to your discretion upon the place, and remain

“Your &c.”

In the month of October, 1652, a high court of justice was set up at Kilkenny, consisting of officers of the army, with Sir Gerard Lowther, Chief Justice of the Common Pleas, as President, for trial of Sir Walter Bagnal and other prisoners, at which Sir Walter was brought to trial on a charge of murder. He pleaded that he was one of the managers of the Articles of Kilkenny (or Leinster Articles), and remained as a hostage for the due performance of them, and claimed his privilege, as a hostage, to be free from trial. On reference, however, to the Commissioners of Parliament for the Affairs of Ireland, who were then at Kilkenny Castle, on a tour through the Parliament quarters, the plea was rejected, and, the trial proceeding, he was found guilty, and suffered death.¹

Colonel Walter being now dead, and the period of the Commonwealth settlement arrived, the barony of Idrone, with the rest of the lands of Ireland, passed to new lords and under new laws.

Within a few weeks after the breaking out of the Irish Rebellion, the leaders of the Parliamentary party in England had already arranged a scheme for taking the management of the suppression of it out of the hands of the King, whom they justly suspected of intrigues against them in that country, suspended only, not extinguished by the death of Lord Strafford, whose real crime was the raising of forces in Ireland, intended to be used against the Puritans in England.

If an army were to be raised in the ordinary way, for putting down the Irish rebels, the King, as Captain-General, would have the officering and commanding of it, and would, sooner or later, use it, as Lord Strafford intended to use the ten thousand men he raised in Ireland, nominally to be employed against the King's rebels in Scotland, but really against the Parliament.

The Parliamentary leaders, therefore, compelled the King to assent to a scheme, afterwards embodied in an Act of Parliament, by which funds were to be raised by a voluntary subscription throughout England, for the equipping and paying a private army, for the putting down the rebellion, of which army, a committee of the subscribers (called adventurers) were to have the control, the King having nothing to say to it, except to furnish the officers (who were to be nominated by the committee) with commissions. The moneys to be thus raised, instead of being paid into the King's exchequer, were

¹ There seems to be no report or memorial of this trial remaining.

to be paid to the committee, and the “ventures” thus made were to be satisfied out of the rebels’ lands in Ireland “whenever the lords and Commons of the realm of England should in Parliament by order declare that the rebels were subdued, and the rebellion appeased and ended.” For the satisfying of the adventurers in this scheme, they set aside, by anticipation, 2,500,000 acres, which divers well-affected persons foresaw would be confiscated; one-fourth of the quantity (625,000 acres) to be taken out of each of the four provinces. These were to be given out at such easy rates that the adventurers were to be satisfied in lands, at the rate of 12*s.* per Irish acre in Leinster; 8*s.* per acre in Munster; 6*s.* per acre in Connaught; and 4*s.* per acre in Ulster, then rated lowest.

And for £200 advanced, any man would be made lord of a manor of 1000 acres Irish (1620 acres statute or English measure), in Ulster; for £300 he was to obtain the like in Connaught; for £450, in Munster; for £600, in Leinster.

(To be continued.)

teenth century, and are found in the walls of castles as well as of churches. They are known amongst the peasantry of the southern counties by the name of "*Sheela-ni-giggs*." The one under review is clearly as old as either of the two former effigies. The face is evidently meant to be grotesque or laughing, a peculiarity of expression universally attempted to be carried out by the sculptor in works of this type, no matter how recent may be their date. This figure is entirely nude, except the shoulders, which are covered by the short *rheno* or secular dress, already alluded to, a garment forbidden to be used by the early Irish ecclesiastics, unless, as we see in the former effigy, Fig. 2., it was associated with the skirt of the tunic. The head of this figure also exhibits what I suppose to be the Irish form of tonsure, so that the female ecclesiastics of the early Irish church, without doubt, adopted this distinction, as well the male community, as we read in "*Marianus Scotus*."¹

From the foregoing inquiry, therefore, it would appear that those effigies which represented the early Irish ecclesiastical dress and tonsure (the latter having been condemned at the close of the seventh century) had, at the close of the eighth century, lost the respect and veneration in which they had once been held; and when the church on the White Island was a-constructing at that period, possibly out of the ruins of a former edifice, the ecclesiastics, who had then given up the use of the ancient tonsure as an "heretical and damnable error," mutilated those effigies as we see them, and applied them to the degraded but useful purpose of mere building materials.²

THE PLANTATION OF THE BARONY OF IDRONE, IN THE COUNTY OF CARLOW.

(Continued from page 44.)

BY JOHN P. PRENDERGAST, ESQ., BARRISTER-AT-LAW.

It was, in fact, a project for a second conquest of Ireland by plantation, to be carried on like the first, as a private adventure by private men, sanctioned and encouraged by the Parliament. The likeness did not fail to strike those familiar with the story of Ireland; and the Speaker of the house of Commons, Sir John Bulstrode Whitelock, at the conference between the Lords and Commons, on

¹ Vide Harris' "*Ware*," vol. ii., p. 240.

² Vide "*Adamnani Vita St. Columbæ*," by the Rev. William Reeves, D. D., pp. 47, 350, 351.

the 13th of February, 1641-2, in the conclusion of his speech, recommending the scheme to the Lords by order of the House of Commons, thus adverts to the similarity :—

“William the Conqueror gave leave to 12 knights to enter Wales, and what lands they could gain there, to keep and plant themselves in it. From one of these descended Richard, ‘the strongboe,’ Earl of Chepstow, who, in Henry the Second’s time, made the first conquest, and with such as desired to plant themselves in Ireland. Giraldus Cambrensis tells us that, according to old prophecies long current in Ireland, this shall continue, with frequent battles, numerous murders, and a contest so prolonged that it shall hardly be completed by the day of judgment. These propositions (added the Speaker) will, I hope, give a period to that prophecy, and as the first conquest was begun by plantation, so a happy and perfect establishment thereof and of the true religion may be made by a like noble plantation, to which these propositions tend, and, by command of the House of Commons, I present them for your approval.”

The following is the passage in full from Giraldus :—

“The Irish have four national Prophets, Moling, Brechan, Patrick, and Columbkil (whose works, written in the Irish tongue, are to this day extant among them), who, speaking of the conquest of Ireland, all agree that it will be stained by frequent battles, by numerous murders, and a contest continued to late ages [*crebris conflictibus longoque certamine per multa in posterum tempora multis cædibus fœdaturum*], but in the end, a little only before the day of Judgment, they promised complete conquest of the island to the people of England, and to have it encastled [*‘incastellatum’*] from sea to sea. And though the English may suffer many overthrows in their wars there (and according to Brechan, all the English are to be routed by a certain King to come from St. Patrick’s mountains, who on a Sunday night is to break into a fortress in the woody parts of Ophailley), yet they all agree in asserting that they shall continually keep possession of the eastern coast.”—(*Hibernia Expugnata*, in *Holinshed*, ch. 33, p. 807.)

This shows that, long before the invasion, it was foreseen by all those who were endued with a little political sagacity (which in early times is never held in any account by the people, unless palmed upon them as the prediction of some inspired prophet), that it was the fate of Ireland to be subjected to any nation, that, like the Romans or the English, had framed their institutions and political discipline to the purpose of conquest and plantation. It is impossible for the clan or family system, with its social equality, political freedom, and internal broils, to stand the shock of a people compacted on the military or feudal system, bound together in defence of their conquests against the nations they have invaded and despoiled, clinging together, as the Celtic narrators describe it, “like the scales on the back of the old dragon.”

A brigade of 5000 foot and 500 horse, designed for Munster, of

which Lord Wharton was to have the command, was raised by the adventurers,¹ but the civil war having burst forth in England by the King's displaying the Royal Standard at Nottingham, on the 23rd August, 1642, the King refused to grant the commissions for the officers, fearing that these forces would be used against himself, as in fact happened, these very troops having marched from Bristol, where they were delayed for want of their commissions, to the battle of Edgehill, where they contributed to his defeat.

The military part of this scheme thus failed, but the plan of pledging the lands to be conquered in Ireland for moneys to be advanced to Parliament, sometimes to relieve "the gasping condition" of the Protestants there, but oftener to carry on the war against the King in England, was continually extended. The sums brought in, however, did not answer the expectations entertained. In hopes to induce merchants and traders, foreign Protestants as well as English, to embark in this speculation, the Parliament of England offered the principal sea-port towns in Ireland for sale,—Limerick, with 12,000 acres contiguous, for £30,000, and a rent of £625 payable to the state; Waterford, with 1500 acres contiguous, at the same rate; Galway, with 10,000 acres, for £7500 and a rent of £520; Wexford, with 6000 acres, for £500 and a rent of £156 4s. 4d.² But this offer, tempting though it might sound, found no bidders. The towns were still in possession of the ancient inhabitants, and merchants, of all others, are least inclined to buy the bear's skin before the bear be dead.

The plantation scheme under the Adventurers' Acts was, therefore, likely to be a failure, unless some further plan were adopted. During the whole ten years, from 1642 to 1652, only £360,000 had been brought in on the security of lands in Ireland. At the end of the war in 1652, the charge for the army in Ireland had reached £30,000 per month, leviable off cattle and tillage lands. But such was the devastation that had been made of the stock of the country by the wars, and so few were the inhabitants, that the assessment was double the best improved rents which the lands (paying assessment) yielded in time of peace. To put an end to this accruing charge for the pay of the army, and to satisfy the soldiers' arrears, the Parliament, with the consent of the officers, determined to set out lands to the army, at the same rate as the adventurers. But when they began to reflect on the danger of setting down some thousands of men dispersedly amongst a nation of dispossessed proprietors and their families, rendered desperate by loss of their ancient inheritances, they had to plan some scheme to provide for their safety.

It has been said that there is no more dangerous design a con-

¹ Rushworth's "Collections," vol. iv. p. 776.

² Scobell's Acts and Ordinances.

queror can entertain than to confiscate a nation's lands, for (as has been lately remarked upon a similar project) "it is never safe to confiscate a man's lands unless you are prepared to take his life."¹ Now whatever may have been the fury of the Puritans in the early days of the Rebellion, when they talked (like Antiochus concerning Jerusalem²) of making Ireland the common burying-place of the Irish,³ they had come in the course of ten years to milder and humaner measures.

They considered that "extirpations in the abstract are cruelties,"⁴ and they determined to reconcile a universal confiscation with the safety of the new plantation.

On the 12th of August, 1652, there passed the Parliament of England an Act of Proscription, which was ordered by the Commissioners of Government to be proclaimed through every precinct in Ireland, "with beat of drumme and sound of trumpett," declaring that it was not the intention of Parliament to extirpate that whole nation, but that the lands of all the Irish were forfeited on account of the national rebellion, and announcing to those who were not included in the sentence of death or exile, denounced against various classes or categories of persons by the Act, that they should be allowed certain portions of land for their support, wherever the Parliament of England, in order to the more effectual settlement of the peace of the nation, should think fit to appoint.⁵

On the 26th of Sept., in the following year, they learned their fate. All the lands of the Irish in Ulster, Munster, and Leinster, were to be set out by lot between the adventurers and the officers and soldiers of Cromwell's army, and the Irish were to withdraw by the 1st of May, 1654, into Connaught, which "the Parliament of England," so the Act declared, "had reserved for the habitation of all the Irish nation not excepted by the Act." Here enclosed on one side by the Shannon, and on the other by the sea, shut up as it were in an island, which was made further secure by being encircled with a belt of English military settlers four miles wide round the whole province—the Irish, under pain of death, were to remain

¹ Speech of Sir James Graham, Bart., on the occasion of the debate in Parliament concerning the confiscation of Oude, 21st May, 158.

² 2 Maccabees, ix. 4.

³ "24th Reason. Some have directly preached for mercy to be shewed to those merciless Irish rebels, as Archdeacon Buckley and the Bishop of Meath, who said in a sermon before the state that four sorts of them sh^d be saved: 1st. Children. 2^d. Women. 3^d. Labourers. 4th. All that resist not,—yet women are worse than men." —"An Apology made by an English Offi-

cer of Quality for leaving the Irish wars, declaring the design now on foot to reconcile Irish and English, and expelling the Scots, to bring their Popish forces against the Parliament," p. 10. Small 4to. London (no date, but about 1648).

⁴ "Nevertheless, since extirpations are cruelty in the abstract . . . there must be a means found out to preserve that people, and make them serviceable to the Government."—Sir R. Coxe's "History of Ireland." Folio, 1689. Preface.

⁵ Scobell's "Acts and Ordinances of the Parliament of England."

for ever impounded, in order that the English might plant and dwell in the rest of Ireland in security.¹ The Parliament, however, excepted the four counties of Dublin, Kildare, Cork, and Carlow from being set out to the adventurers and soldiers, and reserved them for the purpose of paying public debts and gratifying eminent friends of the republican cause.²

Under the terms of the great Act of Proscription, of 12th August, 1652, entitled, "Ordinance for the settling of Ireland," the Earl of Ormond and a long list of the most ancient nobility and gentry were excepted from pardon of life or estate. And the only exemption for the rest of the nation from forfeiture or transplantation was for those who should be able to prove their "constant good affection" during the whole period of the war to the Parliament of England. It was not enough to have done nothing, and to have remained quiet; each individual was presumed to be guilty, and he must prove not merely his innocence, but, "by the series of his carriages," his distaste for the proceedings of his countrymen, and set forth his acts of adhesion to the Parliament of England. He might even prove "the manifestation of much good affection," and yet not escape, which was only to be allowed for the manifestation of a "constant good affection." Numbers of Protestants, being Royalists, were within this description of guilt, and, of course, forfeited; but they were permitted to compound for their estates as delinquent Protestants. The ancient English gentry in Ireland, who were, for the most part, Roman Catholic, also forfeited their estates, but for them there was no compounding, and they and their families had all to transplant to Connaught.

Thus, John Luttrell (ancestor of the Luttrells, Lords Carhampton), the owner, in 1652, of the beautiful estate of Luttrellstown,³ adjoining the Phoenix Park, Dublin, which he inherited from some of the Luttrells who came in with the Conquest, got liberty, before the transplantation of the Irish was finally arranged, to plough and rent, as tenant to the State, part of his former property, and, while doing so, to have the stables on the outer wall to occupy and inhabit, Colonel Hewson occupying the mansion-house and yard as a garrison. On the 30th September, 1654, Mr. Luttrell was dispensed with

¹ "This province of Connaught and Co. of Clare for their natural and artificial strength are worth the noting, being altogether environed on the west and south-west, part thereof by the vast ocean, and almost encompassed on the east and north-east part thereof in the whole length from north to south, for the space of 140 miles, or thereabouts with the great and, for the most part, impassable River Shannon, except by boat or bridge. And on all sides parts of the sd province so beset with mightie strong gar-

risons, as, namely, Limricke, Galway, Athlone, Jamestown, the forts of Slego and Belleek in the Co. of Mayo (with many other garrisons of lesser moment, and of no small strength), that sh^d the Irish at any time appear to stir in the least, it were no less than wilfully to expose themselves to immediate slaughter and the mercy of the sword."—"Present State of Ireland." P. 67. London. 12mo. 1673.

² Id., ib.

³ Purchased from the late Lord Car-

from transplantation till the 1st of December following, "in regard his whole livelihood and his family's depends on the improving that crop of corn that is now in taking off the ground." When the limit of his stay was out, he took his solitary way to Connaught, having obtained, through the mercy of the Council Board, that his wife and children might be spared the calamitous winter journey to that place of banishment. The stay of his wife appears to have been limited to the early spring, for on the 18th of May she obtained the following order:—

"18th May, 1655.

"Jane Luttrell, her husband being already transplanted into Connaught, and forasmuch as she hath a great charge of children and stock, which are not yet in a condition to travel, is dispensed from Transplantation till 20th June next."

For it must not be supposed that it was the Mere Irish only that were removed. On the contrary, the common people being useful as tenants and labourers, were sheltered by the officers and soldiers. It was the proprietors that were especially compelled to transplant. Of these, the old English were in possession of the best estates and finest houses, which were, of course, necessary for the accommodation of the new English planters. The blood of the first conquest, the Fitzgeralds, the Butlers, the Burkes, the Plunkets, Talbots, Tuites, Daltons, had now to give place to a new swarm from the old hive, and to taste a worse bitterness at the hands of their own countrymen than the Milesian Irish in the days of the early invaders; for a conquest by plantation in a country in its pristine state, where commerce is not extensive, nor land accurately appropriated into demesnes, is rather a contest for empire and followers than for house and property. But plantations in a country already full, as Bacon remarks, are accompanied by "displantations," or (as he elsewhere calls them) "the displanting of ancient generations," and are rather, he says, extirpations than plantations.² They entail consequences that afflict for centuries. It may be thought, perhaps, that the old gentry might be spared a portion of their estates, or be let to live (as many of their wives and children got liberty to do for a time, while watching their last crop) in the stables and offices, or on the charity of some of their former tenants (as not a few contrived still to do both after these forfeitures and those of 1688).³

hampton about sixty years ago, by the father of Colonel White, the present owner, and by him called Woodlands.

¹ "Orders of the Council for the Affairs of Ireland." State Paper Office, Dublin.

² "Plantations are amongst ancient primitive and heroical works. . . . I like a plantation in a pure soil, where people are not to be displanted to the end to plant in

others; for else it is rather an extirpation than a plantation."—"Essays," xxxiii.—"Of Plantations."

³ "8th Aug^t, 1659 —Whereas James Byrne hath by some of the Justices of the Peace been lately apprehended in the C^o of Wicklow, being a vagrant person, and returned thither without license out of the C^o of Galway, to which place he was divers

But there was a very good answer to show the necessity of their transplanting. In the first place, there would be no comfort for the new planter, who would be troubled with the contemplation of their misery.

"The souldiers, adventurers, and other Protestant planters would hardly be encouraged to settle themselves on their lands, and plant them with English (says Colonel Lawrence), if, every time when he comes to see his lands, the ancient Irish proprietor shall salute him upon it with a sad story of his suffering and hard usage, to have his inheritance taken from him and given to other men. Nay, the posterity of that Irishman shall hardly ever pass by the Englishman's dwelling, without cursing him and his successors (in their hearts), and wishing for time to recover their own again."¹

In addition to which, there was the danger to be apprehended from their ill-will:—

"Besides, if any Englishmen were so bad natured, as they could bear their murmurings and complainings, yet few of them (after they come to discern their danger, and the hazard of all their costs and improvements upon their waste lands) would be so stupid as to continue the hazard of their persons and families, and their posterities and estates, upon a place so near that neighbourhood, that (upon principles) were bound to hate and contrive the ruin of him and his while he lived there."²

But though the gentry, with their wives and daughters, for the ease of mind and security of the new English "proprietors," were especially required to transplant, the common Irish were not exempt. In the Act of Parliament there was an exception made of husbandmen, artificers, labourers, and those that had no land or goods to the value of ten pounds; yet lessees were considered "pro-

years since transplanted, and, as he alledges, came to look aftersome gratuities from some of that County who were *formerly his tenants and acquaintants, and now poore labouring people there*. Whereas likewise it appeareth by his own confession y^t hee was a Lieutenant Colonel under Hugh McPhelim Byrne, a Lieutenant General for the Rebels, and being vehemently suspected to have come into those parts upon some designe to disturbe the publique peace and to promote the designs of the Common Enemy, Ordered that the Justices of Peace of the Co of Dublin or any of them do give speedy warrant for y^e committal of y^e s^d Byrne unto y^e County goal att Kilmainham, there to remain until he be further proceeded against according to Law.

"Dated at Dublin, 8 Aug^t, 1659.

"THOS. HERBERT,

Secretary."

"Orders of Council for the Affs. of Irl."

¹ "The Great Interest of England in the Well-planting of Ireland with English Protestants." p. 24. 8vo. London. 1658.

² By an Ordinance of Parliament (for the Attainder of the Rebels in Ireland) passed in 1656, it appears, that "the Childⁿ, grand-childⁿ, brothers, nephews, uncles, and next pretended heirs, and active kindred of the forfeiting proprietors, having no visible means of livelihood, but living only and coshering upon the common sort of people, who were the tenants or followers of their families," were still lingering near the ancient lands, "waiting an opportunity (as may be justly supposed) to massacre the English who, as Adventurers, Soldiers, or their tenants, are set down to plant upon these estates,"—they were therefore within 6 months to transplant to Connaught, or under penalty, in default, of being transported to the Plantations in America.—Scobell's "Acts and Ordinances."

prietors," and as "those that had borne arms," (or "swordmen," as the other great qualification was familiarly styled), were not exempt, and as this term was held to include any that had kept guard or attended muster even by compulsion; there were scarce any that were not transplantable; for during ten years the Confederates had their established government, and their armies over three-fourths of Ireland.

This will account for the extreme depopulation of many parts of Ireland, as, for instance, of the county of Tipperary, where Dr. Petty says that the reason he made use of Lord Strafford's survey of that county, taken in the year 1639, was that the country had become so uninhabited and waste, by means of the transplantation, that it would be impossible to find mearers to do it tolerably well.¹ Subsequently there was an order made for sending back four fit and knowing persons of the barony of Eliogarty, from Connaught, to attend the surveyors, and show the bounds of the lands to be ad-measured in that barony, as there was no inhabitant of the Irish nation left that knew the country.²

A similar effect seems to have been produced in the county of Meath; a new race occupied it; the old, the native race, were all swept away.

In Easter Term, 1659, the Court of Exchequer ordered a levy of £10 1s., arrear of excise due in 1653, by the barony of Slane, to be levied off the inhabitants, who thereupon came in and prayed a discharge, stating that those that ought to have paid the same "are all either transplanted, gone beyond sea, or dead," and "the present inhabitants are soldiers, who, with their tenants, came into the barony since 1653."³

But perhaps the best evidence of the desolation and depopulation was the increase of the wolves, which had come to such numbers, from having the country to themselves, that they destroyed the flocks and herds, and were found even preying on young orphan children,⁴ of whom multitudes were wandering about; and, to get rid of this pest, days were appointed, by public authority, for the different baronies near Dublin, to meet to hunt them, and lands were leased by the State in the neighbourhood of Dublin under conditions of keeping a pack of wolf-hounds, part of the rent to be discounted in wolves' heads at five pounds for every "dogge wolfe" killed,

¹ "History of the Down Survey," by Dr. W. Petty. A. D. 1655-6. By Thomas A. Larcom, F. R. S., Major of Royal Engineers. P. 60. 4to. "Irish Archæol. Soc. Publications." Dublin. 1851.

² "Order of Council for the Affairs of Ireland." 20th Dec., 1654. State Paper Office,

Dublin Castle.

³ "Orders of the Revenue Side of the Exchequer," late Chief Remembrancer's Office.

⁴ Order of Commissioners for Affairs of Ireland, 12th May, 1653.—Hardiman's "Iar Connaught," p. 181. Irish Archæological Soc. Publications.

and so in proportion for she wolves and cubs.¹ And deer toil were brought over at the public charge, and kept in the public store for setting up while driving the woods with hounds and horn for these destructive beasts of prey.²

The barony of Idrone, which had been purchased by Dudleigh Bagnal from Sir George Carew, about sixty years before the breaking out of the Rebellion of 1641, belonged, at the latter period, to Colonel Walter Bagnal. It has been already mentioned that Sir Peter Carew confirmed the chief gentlemen of the Kavanaghs in the lands he found them possessed of at the time he recovered the barony under the decree of the Council. But, subject to those estates, which seem to have been granted to the Irish in tail, the entire barony, that is to say Idrone East, belonged to Colonel Bagnal.

In 1639 or 1640 there was an account taken, by order of Lord Strafford, of all the King's tenants in the four provinces of Ireland, for the purpose, it would seem, of raising money, for fines for aliening without license. The following are the estates of Colonel Walter Bagnal, as they appear in the books of the King's tenants for the county of Carlow:³—

Walter Bagnal, Esq., tenant of the manor, town, and lands of Ballymone, containing one mart land; Ballylowe, half mart land; Ouldtown, half mart land; Barduffne, half mart land; Castlebury and Donleckney, one and a half mart land; Gleaduffe, Killcrutt, Rathballyffolane, alias Ballyfullane and Knockballinrahine, two marts and six parts of one mart land; Aghde, one mart; Rathwheat, two parts of one mart land; Kilknocke, one mart; Orchard,

¹ “11 March, 1652-3.—Lease to Captⁿ Ed. Piers of all the forfe^d lands and tithes in the bar^y of Dunboyne in the Co^e of Meath (5 miles north of Dublin) at the sum of £543, for five years from 1 May, 1653, on the terms of his keeping up a hunting establishment for killing wolves and foxes. He was to maintain three wolf dogs, two English mastiffs, a pack of hounds of sixteen couple, three of them to hunt the wolf only, a knowing huntsman, and two men and a boy—an orderly hunt to take place thrice a month at least. This establishment was to be kept partly at Dunboyne and partly at Dublin. And for the securing the performance of his engagement, he was to pay £100 a year additional rent, to be defalked in wolf and fox-heads; 6 wolf-heads and 24 fox-heads the first year, 4 wolf-heads and 16 fox-heads the 2^d year, 2 wolf-heads and 10 fox-heads the 3^d y^r, and 1 wolf-head and 5 fox-heads in each year afterwards during the term. And in case he shall fall short of killing and bringing in the s^d number of wolves, and foxes' heads yearly, then deduction is to be made

out of the s^d yearly allowance or salary of £100, for every wolf's head so falling short the sum of £5, and for every foxe's head 5s.” —“Orders of Council for Affairs of Ireland.”

² The Israelites were warned not to kill all the Canaanites all at once or too suddenly, for fear of the increase of wild beasts of prey.—“When the Lord thy God shall bring thee into the land whither thou goest to possess it and when the Lord thy God shall deliver them before thee, thou shalt smite them and utterly destroy them, thou shalt make no covenant with them nor shew mercy unto them; neither shalt thou make marriages with them thou shalt consume all the people which the Lord thy God shall deliver thee: thine eye shall have no pity upon them And the Lord will put out those nations before thee by little and little; *thou mayest not consume them at once, lest the beasts of the field increase upon thee.*”—Deuteronomy, vii.

³ “Book of Homage Tenures for the Province of Leinster.” Court of Exchequer.

half mart; Killcarricke, one and a half mart land; Ballyfoyminge, two-sevenths of one mart land; Kilmaloppoge, half a mart land; Ballytarsnoe, one mart land; Teghawrelane, one-seventh part of a mart land; and the town and lands of Ballywalter,—Held of our Lord the King, as of his manor of Carlow, by the service of half of one knight's fee, by letters patent dated 21st July, 1626.

The same: Rathellin, one mart land; Ballywilliamroe, Rathcroage, part of the lands called Parckevespane, half a martland; Seskinrian alias Seskin, Ballinisilloge, Ballinecarrige, Ballycarroge, Killoge, Ballyglappalocke, Ballyshane, half a mart land in Clonen; four-sevenths of one mart land in Ballyreagh; one mart land in Ballycormacke; one mart land in Cloughwalter; five-sevenths of one mart land in Ballyclantornocke; one mart land in Killcallatrome; one mart land in uttermost Seskin Doncree; seven-eighteenth of one mart land in Clough-Cantwell; Corromore; one mart land in Killoughternan, Ouldbegg, Clonclevett, Broolyria, Cowlanacappoge, Ballygowen, Clonagastill, Gormanagh, Knockskun, Knockower, Killedmond, Rahindarragh, Ballinvalla, Bowly Cullen, Killtennell, Golleglowne, Knockroe, Ballybromell, Killconnor, Ballyrian, Skillyrye, and Corrobegg,—of our Lord the King, as of his manor of Carlow by the service of half of one knight's fee, by letters patent dated 21st July, 1626.

The same: Killinerle, Downcore, Killcomeny, Killshanerlone, Orney, Ratheaden, Ballyteige, Kildrinagh, Lomclone, one mart land called Clantomensland; Ballintortane, Ffenogh, Killanckline and Ballyloghan, and Ballyrane,—of our Lord the King, as of his manor of Carlow, by the service of half of one knight's fee, by letters patent dated 21st July, 1626.

The same: All those manors, towns, and lands of Ffemough, alias Ffymagh, Monibegg, Bohermore, Knockmollen, Rathduffe, Newtowne, Ballynemuer, Ballydermine, Ballyhobboge, Tartanewla, Ballyknockane, Ballybegg, Ballytomen, Cowlenesopp, Carrickbegg, Ballylowe, Rathphillibine, Skreatrine, Glangerry, and Ffarenloghane,—of our Lord the King, as of his manor of Carlow by the service of half of one knight's fee, by letters patent dated 21st July, 1626.

The same: All the manors, castles, towns, and lands of Kenoge, Knockanecrogh, Crannagh, Carrickebracke, Rostillige, Moyvalla, Rahinquoile, Toameduffe, Bannogebegg, Killvearie, Killgarrane, Aghevicke, Ballydney, Ballinigran, Knockasgondon, Killdame, Killgreanie, Ballynattin, Rahanna, Ballinlinekard, Rahoreckane,—of our Lord the King, of his manor of Carlow, by the service of one half of one knight's fee, by letters patent dated 21st July, 1626.

The same: Staplockstown, Killreny, and Ballykerooke, one mart land; Twirbilane (?), Ballinacarrigge, one mart land; Newton and Kilknock, one mart land; Rathcroage, one-sixth of a mart land;

Clonegidd, half of a mart land ; Rathrehead, half a mart ; Ballilowe, Balligowen, and Ballitarsne, half a mart land ; Clonegoose, Knocknegundenagh, and Ballinesilloge, one-third of a mart ; annual rent of 40s. issuing from the town and lands of Ballicoppigan and Killcallatram ; annual rent of 40s. from Knockanvogh, Killtennell, Ballicullen, Ballinvalla, &c., Rossdillige, Killenerle, Moyvally, Knockroe, Rahanan, Crannagh, Rahindarragh, Killedmund, and Rahinquill, Tomduffe, containing one mart land ; reversion of the town and lands of Ballinloghan, Coolnegappoge, Carrickbegge, Carrigmore, Aghavick, expectant on the death of Bryan M'Donogh Kavanagh, and the heirs male of his body lawfully begotten ; Orchard, half of a mart land ; Caldtowne, half of a mart land ; reversion of the town and lands of Ballyrean, containing one mart land, after the death of Owen Birne ; reversion of the town and lands of Tooleanageanagh, Bohillagh, Watterstowne, Lenkardstowne, expectant on the death of Thomas Davills, and the heirs male of his body lawfully begotten ; Ballyrye, Knockbower, Urney alias Norney, Ballinegran, Ballymeene, and Carrickbegg, one mart land and a half ; Ballyhobbocke, whereof Ballybegg a parcel, containing one-sixth of a mart land. Annual rent of £10 sterling, issuing from the lands of Aghe, Boherduffe, and Cloghnen ; Killdrynagh, containing half a mart ; Ballywilliamroe, one mart ; Killcarrick, annual rent of £2 sterling, issuing out of Ballaghdermine ; annual rent of 25s. issuing from Ballyknockan, Ballycomen, one-third of a mart land ; annual rent of £5, issuing from the lands of Seskinryan ; and another annual rent of 30s. issuing from the lands of Kilbride ; annual rent of 70s. issuing from the lands of Donowe ; Rathvally-villane, Killcruiitt, and Sliguth, alias Sligah, two mart lands and one-sixth ; annual rent of £5 sterling, issuing from the lands of Rathellin, by Inquisition, after the death of George Bagnall, Esq., in the year 1637.¹ It would be interesting to ascertain, were it possible, the names and condition of the tenants and inhabitants of these lands at the period of their being confiscated ; but though it is easy to know the names of all the proprietors who forfeited estates under the proceedings of the Parliament, there is no record of the names of their tenants.

In the year 1653 and 1654 there was a Survey taken by order of the Commonwealth Government, to ascertain the lands forfeited by reason of the Rebellion of 1641, preparatory to the mapping and distributing of the lands among the adventurers and soldiers, in which are set down the various owners in fee ; but no notice is taken of the lessees and tenants in occupation.

¹ These were the estates granted by Sir Peter Carew to the Kavanaghs and other Irish he found in possession when he reco-

vered the barony, by Decree of the Council, in 1586. This portion of the history of Idrone has been treated of already.

This Survey, afterwards known as the "The Civil Survey," was a report of the extent and value of the lands according to evidence obtained from the late proprietors' agents and tenants on the spot, with the aid of a jury, but was not accompanied by any map or survey "by down admeasurement" (as surveying and mapping was then called). It was made for State purposes, and ordered by the State. Sir William Petty's Survey was made by chain, &c., for the purpose of being mapped, and was called a "down" survey, which distinguished it from the former. The term "civil" survey, attached to the other, may have marked another distinction, Sir W. Petty's being undertaken for the army. The Civil Survey was, by the Act of Settlement, ordered to be handed to the Commissioners for executing that Act, as containing the names of the proprietors whose estates were to be adjudicated upon, and was afterwards burnt in the great fire that destroyed the Council Chamber in 1711. A specimen of it may be seen printed, "A Survey of the Half Barony of Rathdown, in the County of Dublin, by Order of Cs. Fleetwood, Lord Deputy, Oct. 4, 1654."¹ The first column in the "Book of Distributions," compiled in 1676, containing the proprietors' names, anno 1641, was taken from the Civil Survey, and the Barony of Idrone, as appearing in the "Book of Distributions," is given hereafter.

There is thus a very accurate record of the different proprietors whose estates were confiscated under the Commonwealth Government; but there is no mode of ascertaining the character and number of the farming population, which must, however, have been almost entirely Irish.

¹ "Desiderata Curiosa Hibernica," vol. ii., p. 529.

(To be continued.)

WOODCUTS.

No.	Weight.	Reference.
1.	44 grs. . .	Crofton Croker, Esq.
2.	15. . . .	Dr. A. Smith.
3.	14. . . .	R. Sainthill, Esq.
4.	22. . . .	Dr. A. Smith.
5.	55. . . .	Dr. A. Smith.
6.	20. . . .	Dr. A. Smith.
7.	9. . . .	R. Sainthill, Esq.

I have designated the gold piece, Fig. 10, Plate II., a "Pistole," because the weight of the Spanish and French pistoles, which were current in Ireland by proclamations issued in 1660, 1683, and 1687, was 4 dwts. 8 grs. See Simon, pp. 51, 56, and 57: Edit. 1749.

THE PLANTATION OF THE BARONY OF IDRONE, IN THE
COUNTY OF CARLOW.

(Continued from page 80.)

BY JOHN P. PRENDERGAST, ESQ.

AMONG the proprietors forfeiting in the Barony of Idrone, of course, Colonel Walter Bagenal figures as principal; but there are certain of the Kavanaghs who were possessed of estates, being those so generously confirmed to them by Sir Peter Carew, when he recovered the Barony by Order or Decree of the Council, on the 17th December, 1568. According to this Survey, "Walter Bagenall, Irish Papist," is found to have been possessed, in the year 1641, of various denominations of land, including most of those enumerated in the "Book of Homage Tenures,"¹ and containing in the whole 9168 acres, plantation measure, (being equal to 14,846, say 15,000 acres, statute measure), which, of course, were all forfeited. The other proprietors in that Barony who forfeited estates on account of the Rebellion of 1641, were "Mr. Bryan Kavanagh, Protestant," who held in this Barony 1406 acres, plantation measure, that is to say, in the parish of Cloneygoosh, the lands of "Burrish," 210 acres, and Old Bogg, 565 acres, and 631 acres of the lands of Kilcallerim, in the parish of Kilshynall. Edmund Kavanagh, Ballytagleigh, in the parish of Lorum, and other lands, 352 acres. Morgan Byrne, part of Siskinrean and Kilmalopoge, 226 acres, in the same parish. Richard Tomyne, the lands of Ballytomyne, and other lands, 176 acres, in the same parish. Henry Warren, "Protestant," 1665

¹ P. 77, *supra*.

acres (names omitted) in same. Art Kavanagh, "Irish Papist," the lands of Corribeg and Corrimore, 381 acres in same. Murtagh oge Kavanagh, the lands of Ballinloghan, Ballinree, and other lands, in the parish of Slegoff, 1895 acres. Murtagh Kavanagh, the lands of Milltown, Drumfea, Rangreagh, and others, 1801 acres, in the parish of Feenagh. The Earl of Ormond, the lands of Loughlin-bridge, 261 acres, in the parish of Acha; and in the parish of Arnie Oldtown, and other lands, 1081 acres, (without including Cloghgrennan in West Idrone, and extensive estates in other parts of the county). Gerald Kinselagh, the lands of Kynogh, Kiledmond, Kilcomney, and other lands, 1420 acres, in the parish of Kilshynall.

On the 14th of October, 1653, there issued forth the order to transplant. All the late owners of these forfeited estates, with their wives and children, their flocks and herds, were, under penalty of death, to withdraw themselves to Connaught, by the 1st of May, 1654. It is a mistake to suppose that the Irish were driven in a disorderly crowd pell mell across the Shannon. It was arranged that proprietors, with all such friends as chose to transplant with them, might set themselves down together on lands having a likeness (so far as could conveniently be provided), to the nature of the land they had lately occupied.

As there was no time, however, for erecting a fit tribunal for discriminating their degrees of guilt, according to which they were to receive their proportions of land in Connaught, they were to proceed, in the first instance, to Loughrea, to Commissioners there, who would set them out a temporary provision of land, such as they could graze and till with their stock, until there should be leisure to erect a proper court for the orderly trial of their several qualifications, which was to sit at Athlone. Their tenants might, if they would, go with them. But they were not obliged to do so; they might leave them, and sit down elsewhere in Connaught, as tenants to the State, or under other transplanting proprietors. It is plain, by the exception in the Ordinance of the 12th of September, 1652, "of artificers, husbandmen, labourers, and those not possessed of property to the value of ten pounds,"¹ that the State were not so anxious for the removal of the common Irish as of the gentry. Indeed, if we are to believe a cotemporary, it was part of the scheme of the Commonwealth Parliament to send the nobility and gentry into Connaught deprived of their tenants, in order that they and their descendants might sink into the rank of peasants. The authority for this is one Maurice Morison, a Missionary of the Order of Friars Minors in Ireland, who, in spite of the dangers that followed detection, dwelt, one would almost think, in the very household of Colonel

¹ "Scobell's Acts and Ordinances of the Parliament of England."

Henry Ingoldsby, Governor of Limerick,—a circumstance of no unfrequent occurrence in those days, when the priests assumed the garb of soldiers, and labourers, and even of domestic servants, in order to minister in secret to the scattered members of their flocks.¹

His book, which he entitles “*The Wail of the Irish Catholics*,” he published in Latin at Innsbruck, in the year 1659, addressed to his excellent patron, Don Guidobald, Archbishop of Salzburg, and to the Dean and Canons there. It contains some very curious details, that could only have been acquired by some one about the person of Colonel Ingoldsby; and amongst others, a conversation that took place in his presence between a Protestant statesman of high rank (“*magnus hæreticus consiliarius*”), and some other person, concerning the transplantation to Connaught, when, the latter expressing his surprise that the Act of Proscription excepted the common Irish, this statesman gave three reasons for it. First (he said) they are useful to the English as earth tillers and herdsmen; secondly, deprived of their priests and gentry, and living among the English, it is to be hoped they will become Protestants; and, thirdly, the gentry, without their aid, must work for themselves and their families to support life, and thus must either die, or in time turn into common peasants.²

It was not only the Kavanaghs, therefore, “mere Irish” gentlemen, and the farming class, that were required to transplant, but men of English descent, like the Bagenals. A brother of Colonel Walter Bagenal’s, Colonel Thomas Bagenal, underwent the common fate—as appears from a petition he presented to the Commissioners of the Government, when they were on one of their progresses at Athlone, by which he besought them for permission to come back to the neighbourhood of his former seat on business for a limited time; a request, however, in which he failed, as appears by the following order made on his petition:—

“16th June, 1655.

“Upon consideration had of the within petition of Col^d. Tho^s Bagnall, It is thought fitt that the said Colonell reside in Connaught conforming to

¹ Bishop Lynch’s “*Alithinologia*,” vol. i, p. 1. 2 vols. Small 4to. Printed at St. Malo’s (in Latin), 1667.

² “*Threnodia Hiberno-Catholica, Sive Placatus Universalis totius cleri et populi regni Hiberniæ: In quâ veridice et sincere recensetur Epitome inauditæ et transcendētis Crudelitatīs quâ Catholici Regn. Hibern. ab Angl. Antheistis tyrannice opprimuntur subarchi-tyranno Cromwello trium regnorum nempe Angliæ Hiberniæ et Scotiæ usurpatore et destructore. Per F. M. Morisonum Min. Strict. Observantiæ. S. Theologiæ Lectorem, Præfatæ crudelitatis test. ocularem. Ænipoſiti. Typis Michæl Wagner. Anno 1659.*”

Which may be thus translated:—

“*The Wail of the Irish Catholics: Or, the Groans of the whole clergy and people of the kingdom of Ireland, in which is truly set forth an epitome of the unheard of and transcendental cruelty by which the Catholics of the Kingdom of Ireland are oppressed by the godless English under the archtyrant Cromwell, the usurper and destroyer of of the three realms of England, Ireland, and Scotland. By F. M. Morison, of the Minors of Strict Observance, Lecturer in Theology, an eye-witness of those cruelties. Innsbruck. Printed by Michael Wagner. A. D. 1659.*” 12mo.

rule, Butt upon application made to the Governor of Athlone he may have libertie from the said Governor for one of his servants to return to Leinster (iff a real necessitie thereof appeare for the ends ment^d in the Petiçōn) and for such tyme as shall by s^d Governor be thought expedient thereto, provided good securitie be given for the said servant's retorne att the expiraçōn of the s^d terme allotted him. Dated att Athlone the 16th of June, 1655."

The condition of the gentry driven into Connaught with their wives and families was sad enough. Deprived of their accustomed accommodations, many went mad, or died. Some hanged themselves, and hundreds throwing up their allotments, or selling them for a mere trifle to the officers of the State, fled in horror and aversion from the scene, and embarked for Spain. Those that were forced to stay, through want of means to transport themselves, or from having helpless families, endured miseries, compared to which a Russian exile's life in Siberia is an Arcadia.

"Good heavens, what sorrows gloomed that parting day,
That tore them from their native walks away;
When the poor exiles, every pleasure passed,
Hung round their bowers, and fondly looked their last,
And took a long farewell, and sighed in vain
For seats like these beyond (*beside*) the western main."

The sad fate of Colonel Walter Bagnal had yet this compensation, that he and his family were spared the misery of the transplantation to Connaught. At the time of his death, he left his widow and three children surviving, the latter of tender years, viz., two sons, Dudley and Henry, and one daughter, Katherine.

His wife was an English lady, Elizabeth Roper, daughter of John, third Lord Teynham, who, previous to her intermarriage with Colonel Bagnal, had been married to Mr. John Plunkett, by whom she had a son, Nicholas Plunkett. The cruel death of her husband, the destitution of her fatherless children, and the calamities of the time, overthrew her reason.

She and her children had lost, together with their protector and parent, their great estate in the county of Carlow, and were deprived of a home. But by her marriage settlement with Mr. Plunkett she had jointure lands, which her son, Nicholas Plunkett, sought to make available for her use; and on the 9th of May, 1653, he presented a petition to the Council, setting forth that his mother was distracted, and prayed for the management of those lands for her support. But these, too, were seized for the soldiery; and all that was allowed her out of them was £40 a year, to be paid to her son Nicholas for her and her children's support.¹

¹ "Upon reading the Petition of Nicholas Plunkett on y^e behalfe of his Mother

Elizth Roper alias Bagnal widow setting forth her title to certain towns and lands settled

In a short time, however, she ceased from troubling. In less than two years she sank, broken-hearted as well as distracted, into her grave, leaving her children, now orphans, to the mercy of the Puritan Government.

Fortunately for them, they had not only powerful friends, being connected with the branch of the Bagnals, settled near Newry, still Protestants, but the hard fate of their father seems to have touched the Commonwealth rulers with remorse.

Their first act, however, after Elizabeth Bagnal's death, towards the orphans, was a kindness in their own way, viz., to take them from their natural relations, in order to bring them up to Dublin, to be educated under their own eye in the Protestant faith. On the 27th of March, 1655, after their mother's death, the Council made an order continuing the allowance of £40 a year to Elizabeth Bagnal's children; but in about a fortnight they revoked it, and made the following :—

“Upon consideration had of the allegations of the above Petition of Kathrine Bagnall desiring the benefit of the late order for the enjoyment of the Profitts of part of her mother's jointure for her and her two brothers' maintenance the Council have thought fitt to recall the same and have Ordered that the s^d Kathrine Bagnall should be provided for in same good family att Dublin and that the s^d two brothers should be educated and provided for in the free schoole at Dublin.

“Dublin 17th of April 1655.

“THO^s HERBERT,

“Clerk of the Council.”

In the following year, Dudley having attained the age of eighteen, Lord Henry Cromwell, who was then Lord Lieutenant, and whose goodness of disposition has been much praised, seems to have interested himself greatly in his fate, and to have had a wish that Dudley should be brought up (to the bar ?) in England; and with this view, he directed Colonel Herbert, the Clerk of the Council, to make a proposal to Mr. Hampden to take him as his apprentice, offering to pay one hundred pounds as his apprentice fee :—

upon her by her former husband John Plunkett for her joynture and desiring the management of the s^d Estate by reason his said mother is distracted and incapable of managing y^e same; and upon p^usall of a Certificate made by Mr. Attorney Gen^l to whom the Examination of the matter was formerly referred, It is thought fitt and ord^d that the said Elizabeth bee allowed y^e yearly sum of Forty pounds out of the rents arising out of the s^d towns and lands (over and above the

contribution) and that the same bee paid unto her or whom the said Plunkett shall appoint for and towards the maintenance of herself and children till further order; whereof the Commissioners of Revenue respectively and all others whom it may concerne are to take notice.

“Dublin, 9th May, 1653.

“Chas. Fleetwood, Ed. Ludlow.

“Miles Corbett, John Jones.”

—*Irish Council Books, Dublin Castle.*

TO MR. HAMPDEN.

“16 April 1656.

“There is a youth now in Dublin whose father Colonel Bagnall suffered about ffour years since at Kilkenny by sentence of the High Court of Justice, whereby his estate which was considerable became forfeited to the Commonwealth. Hee left divers young children behind him whom the Commonwealth are mindful of, both on consideration of their distressed condition, and of their extract which is English. The Council here are desirous that this young man should be bound an apprentice to some person in London where hee may be virtuously trained up, and by benefit of good education and distance hence be wholly estranged from his Popish relations, and also be enabled when he hath served out his full time to live of himself honestly and with reputation.

“This youth is about eighteen years old, of good stature for his age. He is ingenious, and hath lost no time to better his understanding being hitherto continued at School. He was nursed up in Popery until the Council took care of him, and by boarding him in a godly family he hath of late constantly repaired to the publique and private assemblies of good people who report well of him. I have given you this short account of him by command of the Lord Henry Cromwell and the rest of the Council, and to let you know That it is their desire hee may be bound Your apprentice. They are free to give you One Hundred pounds with him for the usual term apprentices are bound, hoping that he may be serviceable unto you, and by his course of life lay a hopefull foundation for his future livelihood. When you have considered this proposition you are desired to return your answer with all convenient speed unto

“Your affectionate friend and servant,

“THOS. HERBERT.

“Dublin Castle, 16 April, 1656.”

Whether Mr. Hampden refused to take Dudley Bagnal as his apprentice, or not, does not appear. But the scheme did not take effect. For in the following year Dr. Gorges, a person of considerable note in Ireland in those days, interfered to obtain a Fellowship for him at Oxford, whither Dudley Bagnal proceeded to prosecute his studies, as appears by the following order:—

“HENRY CROMWELL,—Upon consideration had of the Certificate of Mr. John Price in the behalf of Dudley Bagnall, whereby it appears That the said Bagnall hath lived in the said Price’s house neare Three yeares: And since the said Bagnall was convinced of the Truths held forth in the Protestant Religion (which was about two years ago) hee hath attended the Ordinances both publicque and private, and hath often expressed an earnest desire of a being in England, where he might improve his studies to his future welfare here, and be also freed from the visits of Papist Relations whom he cannot tell how to avoid. It is Ord^d that J^s. Standish, Esq., Receiver General, do (out of the public monies that is or shall come

into his hands) issue forth and pay unto D^r. Rob^t. Gorges or Mr. John Price the sum of £50, to provide necessaries for the said Mr. Bagnall in order to his going to the University of Oxford to follow his studies there; and his former pension being to cease upon his entering into the Fellowship which the said Dr. Gorges has provided for him, for payment whereof this with their or either of their receipts at the back thereof shall be a warrant. Dated at the Councill Chamber at Dublin, the 20th of July, 1657.

“ W. S. C. [Wm. Steele, Chancellor.]

“ R. P. [Richd. Pepys].”

Notwithstanding the attempt, however, to render the country safe for the new settlers, by removing the ancient inhabitants, it was found impossible to do it so effectually, but that their security was greatly troubled by numbers that betook themselves to the woods, the mountains, and other fastnesses, whence they often came down and took the cattle, and occasionally the lives, of the English planters. The kind of agrarian law under which the lands had been so lately distributed among the Adventurers and Soldiers of the Commonwealth army, took from property its sanctity, which depends much upon the antiquity of possession, and upon forgetfulness of its original, and gave rise to agrarian crimes. The counties of Kildare and Carlow, lying under the Wicklow mountains, were particularly liable to the attacks of these outlaws. Bands of desperate men formed themselves into bodies, under the leadership of some dispossessed gentleman, who had retired to the wilds when the rest of the army laid down arms, or “ ran out again,” as it was called, after submitting, and resumed them, rather than transplant to Connaught.¹ He soon found associates, for the country was full of “ swordmen;” though forty thousand took conditions from the King of Spain, under the terms of the Leinster (or Kilkenny) articles, and were transported with their officers within the year after submitting.

Others came back from Spain.² These were the Tories. The great regions left waste and desolate by the wars and the transplantation gave them scopes for harbouring in, and the inadequate number of the forces of the Commonwealth to fully control so extensive a country as Ireland left them at liberty to plan their surprises.

¹ “27th Aug^t, 1656.—Notwithstanding the sev^l orders wherein sev^l days and times have been prefixed by which Papist proprietors of lands were to remove themselves, as also their wives and child” to Connaught whereto some have yielded obed^{ce} and many others in sev^l parts do refuse, and from thence have taken occasion to run out again into the boggs, woods, and other the fastnesses and desert places of the land to committ murders,

&c., upon the well affected, &c.”

² “24th Jan^y, 1655–6.—That Irish Papists who had been licensed to depart this Nation, and of late years have been transplanted into Spain, Flanders, and other foreign parts, have nevertheless secretly returned into Ireland, occasioning the encrease of Tories and other lawless persons.”—*Books of the Council for the Affairs of Ireland, Dublin Castle.*

These outlaws were so daring and desperate, that they attacked the new English tenants, or purchasers, within hail of the garrisons.

In the month of March, 1655, a sad case occurred in the neighbourhood of the garrison of Timolinn, in the county of Kildare. John Symonds and his family, who had lately come out of England with all their substance to plant in Ireland, by advice of friends settled at Kilnemarne, and had engaged twenty more families very suddenly to come and plant there, being encouraged by hopes of receiving protection from the garrison of Timolinn adjacent thereto; soon after his arrival, he and his two sons, being about repairing of houses upon the premises, in the daytime (the deserted abodes, no doubt, of Irish gentlemen and their families, lately transplanted to Connaught), were waylaid, and set upon by three Irishmen, being bloodthirsty and wicked persons, who fell upon him and his two sons, and cruelly murdered one of them, and dangerously wounded the other. Both these sons had faithfully served the Commonwealth in England, as soldiers, since the beginning of the war; and the one murdered left behind him a poor distressed widow, an honest sober person, in an extraordinary poor condition, with very small children, for whom a charitable subscription was encouraged in the parish churches by order of the Commissioners for the Affairs of Ireland.¹ Rigorous orders were immediately issued and enforced for transplanting all the Irish inhabitants of the town and neighbourhood of Timolinn to Connaught, as a consequence of this murder.

Six months afterwards, notwithstanding this signal chastisement, another murder took place in the townland of Lackagh, in the same county. On the 22nd October, 1655, Dennis Brennan and Murtagh Turner, Protestants (persons lately in the service of the State, and pay of the army) were barbarously murdered. All the Irish of the townland of Lackagh were seized; four of them, by sentence of court-martial, were hanged for the murder, or for not preventing it; and all the rest, thirty-seven in number, including two priests, were on the 27th of November delivered to the Captain of the Wexford frigate to take to Waterford, there to be handed over to Mr. Norton, a Bristol merchant, to be sold as bond-slaves to the sugar-planters at the Barbadoes.² Among these were Mrs. Margery Fitzgerald, of the age of fourscore years, and her husband, Mr. Henry Fitzgerald, of Lackagh, although (as it afterwards appeared) the Tories had, by their frequent robberies, much infested that gentleman and his tenants—a discovery that seems to have been made only after the King's restoration.³

Part of the same system was the law for levying satisfaction

¹ Books of the Council for the Affairs of Ireland, Dublin Castle.

² *Id.*

³ "Continuation of the Brief Narration,

and the Sufferings of the Irish under Cromwell," p. 7. Printed in the year 1660. Small 4to. Pp. 11 (by Father Peter Walsh, author of the "History of the Irish Remonstrance").

for damages done by Tories. If a band of these outlaws—some of the Tooles, Byrnes, or Kavanaghs—came down from the Wicklow hills at night, and drove off the cows of some English planter to fastnesses where none dare follow them, after putting the settler to flight and burning his haggard, the satisfaction was to be made by the Irish inhabitants in the following manner :—The damage was, in the first place, to be levied off the goods of any of the kindred of the Tories, i. e., of any Tooles, Byrnes, or Kavanaghs, who might be found in the barony where the robbery was committed, or in any barony through which they passed. These levies were called, in English, “kindred monies,” in Irish, “Kincogues,” signifying the liability of kindred, according to the Brehon system.

In default of the kindred making good the damage, all the Irish inhabitants within these baronies were to contribute, all being held bound for their default in not raising hue-and-cry, or giving speedy notice to the nearest garrison. These latter levies were called “prey monies.” The conquerors, though possessed of all the power, and bound to provide for the security of the Irish, no less than English, within their protection, laid the whole burthen on the native race, and let all the English go free. These very laws were found to add to the numbers of the Tories :—

“For though the protected Irish (says one Englishman who even in those days was found to protest against the system) were bound by law to discover and resist enemies on pain of death, and to make good all damages done to the English settlers by Tories, they neither had nor were allowed arms to enable them to resist, nor could the law-givers protect them either in their estates or lives from that enemy to whose malice and fury the observance of these laws exposed them: so that both the contempt of and obedience to them, exposed these poor people to be punished with death, either by the English or the Irish. They, therefore, used to turn Tories in self-defence.”¹

It will, perhaps, be admitted that this sweeping off of a whole neighbourhood to Connaught or the West Indies on suspicion, or making them repair damages they possibly could not prevent, was but a rude and wholesale justice, a rough sort of work, that must necessarily punish a certain proportion of wholly innocent persons with the guilty. It was the jurisprudence of conquerors. And the injustice of it was not discovered, or at least admitted, till the levies began to eat up the rent and contribution payable to the Government, when they began to restrict them as much as possible; or till there was an opportunity, after a change of rulers (as in the case of the Fitzgeralds, of Lackagh), to set forth the hardships involved in every exercise of such a law.

¹ “The Great Case of Transplantation in Ireland Discussed,” p. 26. Small 4to. London, 1655.

The penalties against the Tories themselves were to allow them no quarter when caught, and to set a price upon their heads. The ordinary price for the head of a Tory was forty shillings; but for leaders of Tories, or distinguished men, it varied from five pounds to thirty pounds.

In a proclamation of 3rd Oct., 1655, there was offered to any that should bring in the persons hereafter-named, or their heads, to the governors of any of the counties where the said Tories should be taken, the following sums, viz., for Donnogh O'Derrick, commonly called "Blind Donnogh," the sum of thirty pounds; for Dermot Ryan, the sum of twenty pounds; for James Leigh, the sum of five pounds; for — Kelly, the sum of five pounds; or for any other Tory, thief, or robber, that should be hereafter taken by any countryman, and brought dead or alive to any of the chief governors of any county or precinct, forty shillings; and if taken and brought by any soldier, twenty shillings.¹

Under a similar proclamation, there appears paid, by a treasury warrant, to Captain Adam Loftus on the 12th of May, 1657, the sum of £20 for taking Daniel Kennedy, an Irish Tory; his head being sent to Catherlough, to be set up on the castle walls, to the terror of other malefactors.²

And in April, of the same year, to Lieutenant Francis Rowlestone the sum of £6 13s. 4d., the same being in consideration of the good services by him performed in December last, in killing two Tories, viz., Henry Archer, formerly a lieutenant in the Irish army, then a chief leading Tory, and William Shappe, brogue-maker, then under his command—whose heads were brought to the town of Kil-

¹ "Order of the Council for the Affairs of Ireland for taking Tories, 3rd Oct., 1655. Whereas many murders, robberies, spoyles, and other mischiefs are dayly committed by Tories and other loose and idle persons in severall parts of this nation upon the English and Protestants and other good people of this land, and especially by those Tories that most commonly harbour themselves in the great fastnesses within the Co^s of Wickloe and Wexford, and are the ringleaders of those and other lewd and dangerous persons. For the prevention whereof for the future and for the due encouragement held forth to all such persons as shall be instrumentall in apprehending of the Tories hereafter ment^d It is hereby Ord^d and Declared that whoever shall bring in the persons hereafter-named or their heads unto any of the Governors of the garrisons of the respective counties wherethe s^d Tories shall bee taken shall receive for the same the following sums specified, viz., For Donnogh O'Derrick, commonly called Blind

Donnogh, the sum of £30; for Dermot Ryan the sum of £20; for Art McKreen, otherwise called Kavenagh, the sum of £20; for Jas^s Leigh the sum of £5: for — Kelly, the sum of five pounds; Or for any other Tory Thiefe, or Robber that shall bee hereafter taken by any countryman and brought dead or alive to any of the chief Governors of any Co^o or Precinct, such countryman shall be paid the sum of Forty Shillings. And if taken and brought in by any souldier, such souldier to receive the sum of Twenty Shillings, which is forthwith to be paid by the respective Receivers of the Revenue of the different Precincts, upon Certificate under the hand of the s^d Governor concerning the taking of such a Thiefe or Robber within that Precinct. Dated at Wexford, the 3^d of Oct., 1655.

"THOS. HERBERT,
"Clerk of the Council."

² Treasury Warrants. A. D. 1657, Dublin Castle.

kenny, unto Major Redmond there, as appears by his certificate, dated 9th April, inst.¹

But there were other modes of dealing for the suppression of Tories. The English, whether as soldiers or planters, were inadequate to cope with these wild and lightfooted outlaws, who knew each togher (or foot-path) through the quaking bogs, and every pass among the hills and woods. They were, therefore, under the necessity of calling in the aid of some of the countrymen of the Tories, who were equally skilled in the knowledge of the country, and were familiar with the habits and secrets of these outlaws. They either dealt with some Irish gentleman for the guarding of some district, and pursuing of the Tories within it, on the terms of his being spared from transplantation for his services; or they found means to agree with any Tory, not guilty of any actual murder, to kill by treachery any two of his comrades, as the price of his own pardon, the latter being a measure that was found so advantageous, that it was afterwards introduced among the Parliamentary enactments,² and was continued from the period of the Commonwealth down to the year 1776; with this improvement made in the reign of George I.,³ that it should be enough to kill one Tory only in order to secure a pardon, considering how scared and wary they grew of each other, when once they became conscious of having a traitor among them, and how difficult it was to kill a second after the first had been taken off. As an instance of a gentleman obtaining his dispensation from transplantation to Connaught by engaging to hunt Tories, there is the case of one of the Kavanaghs of this district of Idrone.

To reduce the Tories in the county of Carlow, the Government, in the year 1656, came to an agreement with Major Charles Kavanagh to dispense with his transplantation to Connaught, and with that of thirteen Irishmen, of his own selection, as his assistants, for the purpose of prosecuting and destroying Tories in that county, and in the adjoining counties of Wicklow, Wexford, and Kilkenny.⁴ Major Kavanagh selected the stump of the old Castle of Archagh

¹ Treasury Warrants, A. D. 1657.

² 7th W. III. (Ir.), c. i. A. D. 1695.

³ 4 G. I., c. 9. A. D. 1712.

⁴ "Upon reading a letter of y^e 8th inst., from Major Boulton, certifying that the fourteen persons, hereafter named, are the most capable and fittest of any that he can learn in the county of Catherlough, and the counties adjoining, for the assistance of Major Kavanagh in the prosecuting and destroying of Tories in the counties of Wicklow, Wexford, Kilkenny, and Catherlough, and therefore desiring that they may be dispensed with from transplantation for that

purpose It is hereby Ordered that Walter Byrne, Donnogh Byrne, Garrett Walle, Symon Wattle, John Nowlan, Morris Kavenagh, Murtagh Byrne, Christopher Fitzgerald, James Kavenagh, Edward Byrne, Art Oge Bryan, Robert Fforstal, Wm. Doeran and John Buoy Roche, in y^e said letter mentioned, be dispensed with from transplantation into y^e province of Connaught and county of Clare until further order. Dublin Castle, 15th May, 1656.

"THOS. HERBERT,

"Clerk of the Council."

—*Irish Council Books, Dublin Castle.*

(otherwise Agha), a waste place lying in the barony of Idrone, as the post for him and his band to inhabit, as being situate in the centre of the three counties of Wexford, Carlow, and Kilkenny; and a lease was made of it by the State to Major Boulton (who seems to have been the medium of communication with Major Kavanagh), in order that he might assign it over to him for his residence and habitation.¹

This place lay about four miles due west of Leighlin Bridge, and in some degree may have watched the approaches against the advance of any Tories from the Wicklow hills, which lay still more to the west.

Major Charles Kavanagh was the son of Gerald Kavanagh, who appears as forfeiting the lands of Donore, in the parish of Wells, in that part of the barony of Idrone that lies beyond the Barrow, adjacent to the county of Kilkenny, in the Survey of 1653; and who, though he had hitherto avoided transplantation, had certainly not turned Tory. He had possibly been educated as highly as any Englishman, and, like many of his name, was connected by blood and marriage with the best old English families in the neighbouring counties.

But others, wilder and more desperate, "ran out." Amongst these was Gerald Kinsellagh, who appears, in the Survey of 1635, as forfeiting a large estate of 1420 acres, consisting of the lands of Kynogh, Kiledmond, Kilcoursey, and other lands in the barony of Idrone. He became "a leading Tory," and with him the Government entered into terms for pursuing and destroying his fellow-Tories. The same Lieutenant Francis Rowlestone, who was paid for the heads of two Tories killed by him, and who, probably, in his frequent conflicts with them, had earned their respect and confidence (for the brave respect the brave), had a warrant from the State in 1659 to treat with this Gerald (or Garrett) Kinsellagh and two other Tories of the neighbourhood, "then abroad and on their keeping," and to promise them their security and liberty, on condition of their hunting down other Tories, who were abroad disturbing the

¹ "Upon reading a letter of the 8th inst. from Major Boulton, setting forth that in pursuance of an order of this Board upon the petition of Major Charles Kavanagh of the 1st of April last, hee certified that the Castle of Archagh, being a waste place in y^e Barony of Idrone and C^o of Catherlough, is the most convenient place for the s^d Major Charles Kavanagh to inhabit, there being thereon an ould stump of a Castle, situate in the center of y^e Three Counties of Wexford, Catherlough, and Kilkenny: And upon consideration had thereof It is thought fitt and Ord^d that it bee and is hereby referred to

the Commissioners appointed to let lands and houses belonging to y^e Commonwealth in y^e C^o of Catherlough to permit the s^d Major Boulton to become tenant to y^e s^d castle and lands to be forthwith sett over by the s^d Major Boulton unto the s^d Major Charles Kavanagh for his residence and habitation, he performing duly y^e conditions engaged into by the s^d Major Boulton, and to be performed betweene him and y^e state for the said lands. Dublin Castle, May 19, 1656.

"THOS. HERBERT,
"Clerk of the Council."

—*Irish Council Books, Dublin Castle.*

public peace.¹ But, in order to show that they had not been themselves engaged in any murders, it was also made a condition that they should be ready to render themselves to the Governors of Wexford, Waterford, Rosse, and Kilkenny, and submit to any charge of murder that should be brought against them, as the State did not intend to employ such Tories as had been guilty of actual murder.

But national hatred, as has been remarked, is the firmest bond of secrecy and conspiracy.² The Irish—who had seen their country desolated, and their ancient gentry driven off to Connaught to make way for strangers of a new creed and new manners—would give no assistance to the law.

Those that would not themselves deal a blow against the new proprietors and their tenants, yet saw them with silent satisfaction, terrified and bewildered at the sudden and secret attacks upon their neighbours.

They gave private intelligence to the Tories, to aid them to escape, or were simply passive; and no penalties could force them to betray those whom they looked on as avengers of the wrongs of gentry and people alike. There was no security for the new settlers. There remains a very graphic account of the constant danger in which they lived.

¹ "Ordered that Lieutenant Francis Rowlestone be and he is hereby empowered by and with the assistance of the Gov^r at Wexford, Waterford, Ross, and Kilkenny (or any of them) to treat with Garrett Kinselaugh, John Walsh, and James Roe (who with other Toryes are now abroad upon their keeping), and to conclude with them or any of them upon publique service by them to be done for their libertie and securitie upon rendering themselves to the said Lieutenant or any of the governors at the places before ment^d, and submitting to any charge of murder that shall or may be exhibited against them, or any of them, and giving securitie for their future good behaviour, and afterwards to be amenable to the Law for y^e time to come, And y^t they will not act anything against the publique peace, It being hoped this favour will engage them to discover and endeavour a speedy redgement of such other Toryes as are now abroad and disturbing the publique peace: And y^e s^d Lieut. Rowlestone is from time to time to acquaint this Board with his proceedings herein.

"Dated att Dublin, 15th Sept., 1659.

"THOS. HERBERT,

"Clerk of the Council."

—*Books of the Council for the Affairs of Ireland.* Dublin Castle.

It is worthy of remark that Charles Rolleston, Esq., Q. C., of the Leinster Circuit, the descendant of this Lieutenant Francis Rowlestone, so noted for his conflicts with the Tories of two hundred years ago, has been for twenty years the eloquent and trusted defender, in the Assize Courts of Wicklow, Wexford, Waterford, Kilkenny, Clonmel, and Nenagh, of the Whiteboys, Whitefeet, Terry Alts, &c., the lineal representatives of those outlaws, in conflict with whom his ancestors won honours.

² "The conspiracy (of the Greeks, A. D. 1205, against the Latins, then in possession of Constantinople) was propagated by *national hatred, the firmest bond of association and secrecy*. The Greeks were impatient to sheath their daggers in the breasts of the victorious strangers; but the execution was prudently delayed till Henry, the Emperor's brother, had transported the flower of his troops beyond the Hellespont. Most of the towns and villages of Thrace were true to the moment and the signal; and the Latins, without arms and without suspicion, were slaughtered by the vile and mercenary revenge of their slaves."—Gibbon's "Decline and Fall of the Roman Empire," vol. x., c. 61, p. 263.

So sudden and so frequent were the murders of the English planters, that it was stated that no person was able to assure himself of one night's safety, except such as live in strong castles, and these well guarded, and they (adds the reporter) very liable to surprise too. And after referring to the instances of the several horrid murders lately committed in the counties of Wexford, Kildare, and Carlow, &c., he continues—

"Of which number one gentleman living in a strong castle, and sitting by the fire with his wife and family, in the evening heard some persons, whose voice he knew, call him by name to come to his gate to speak with him; the poor gentleman, supposing no danger in a country where no enemy was heard of, presently went to the door and was there murdered, when he was taken up dead off the place. Another of them walking in his grounds in the daytime about his business, was there found murdered, and to this day it could never be learned who committed either of them. . . . And when these horrid murders are done, the poor English that doe escape know not what means to use. . . . For his Irish neighbours, it's like he may not have one near him that can speak English; and if he have an hue and cry (or Hullaloo as they call it) to be set up, they will be sure to send it the wrong way, or at least defer it until the offender be far enough out of reach, and not unlike but the persons that seem busiest in the pursuit may be them that did the mischief."¹

All this was particularly grievous to the Government, who had reserved the counties of Kildare and Carlow (with Dublin and Cork) for setting out amongst their chief republican friends.

But the people of England have a boast that there is never a wrong without a remedy; and as neither the sweeping off of all the people of a parish, where a murder was committed, to Connaught, nor the selling them as bond-slaves into the sugar-plantations, could secure the new English planters, nor hanging many of them on sus-

¹ "England's Great Interest in the well-planting of Ireland with English people." p. 7.

"After the Norman Conquest (in times when it was a disgrace, as Matthew of Paris says, to be called an *Englishman*, ut Anglum vocari foret opprobrio, B. i., c. 12), many of the dispossessed English nobles took to the woods, and lived therelike wolves, and thence used to come down and murder the French gentlemen (id., ib.); and as none of the English peasantry would turn informers, there was a law for fining the vill or townland where a Frenchman was found to be murdered, and the perpetrators could not be discovered. To evade this fine, the English peasantry used to cut off the nose, and gash the poor gentleman's face, that it could not be told whether it was the corpse of a

Frenchman or not—a practice we find alluded to in the ballad of Robin Hood and Sir Guy of Gisborne. Thus this gallant representative of the early English yeomanry has no sooner slain Sir Guy (in the words of the ballad)—

"Than Robin pulled out an Irish knife,
And nicked Sir Guy in the face,
That he was never of woman born
Could know whose head it was."

To meet this device, it was enacted that the townland should still be fined, unless the jury found that the corpse was that of an Englishman, which was technically called Presentment of Englishry, which continued for 300 years after the Conquest, being abolished only in A. D. 1312.—"Blackstone's Commentaries," vol. iv., p. 195.

picion of complicity because of their not resisting, nor the reducing them to ruin by levies for the kind of damages called kincogues and prey-monies, the Commonwealth rulers projected another measure, to the understanding of which a little regard to the geography of Ireland is needed.

Connaught, as bounded by the Shannon, including the county of Clare, had been reserved by Parliament, as already mentioned, from being set out to the adventurers and soldiers, and was appointed for the habitation of the Irish nation.

The reason of this selection was its peculiar suitability for the purpose of imprisonment. It is, in fact, an island, surrounded (all but ten miles) by the Shannon and the sea; and the part not so surrounded easily made into one line, and the province securely closed by the erection of three or four forts.

On the eastern side of the kingdom will be found a similar scope of land, rendered nearly an island by the Boyne and Barrow, and the sea. These two rivers, rising within four or five miles of one another in the Bog of Allen, and flowing respectively north and south, make their issue to the sea,—one at Drogheda, and the other at Waterford,—the distance between their head-waters being at the period of the Commonwealth Settlement of Ireland an impassable bog, except in a few spots, easily secured. The statesmen of Henry the Eighth's day projected the closing of this pass, which was called the door of the English pale, by building the four castles of Kinnefad, Castlejordan, Ballinure, and Kishavan. They suggested, also, that the part of this territory lying to the south of Dublin, as far as Wexford, within the Barrow, should be cleared of all Irish within one year, and inhabited at once with twelve thousand English planters.¹

The same plan had been projected, as has been already shown, about 140 years before, by King Richard II., who compelled the Kavanaghs and other Irish to engage to transplant, and win for themselves other homes beyond the Barrow.

This project was now again revived; and it was suggested to clear the entire country within the Boyne and the Barrow, in order that the new English planters might enjoy security upon their allotments.

"There would thus be (says the author of this project) a pure English plantation, without any mixture at all of Irish as tenants or servants, in the scope of land compassed by the Boyne and the Barrow; a pure Irish plantation, already determined, on the west side of the Shannon; the rest of the nation to consist of a mixt plantation of English landlords and masters, with a permission of Irish tenants and servants, being only such as were not included within the rule of transplantation."²

¹ "Memorial, or a Note for the wyunning of Leynster," p. 413. A. D. 1536. State

Papers of H. VIII., paper clxx., vol. 1.

² "England's Great Interest in the Well-

The greatest part of this country, within the Boyne and the Barrow, was already waste, and the Irish generally removed; it was the ancient English pale (it was said), and was

“The place that proposeth most securitie in case of future troubles, it being near England, as before ment^d, and surrounded within five miles by the sea and two rivers before ment^d, which rivers in winter are in very few places passable; and in summer the foords there are either soon spoiled or guarded, and that little space betwixt the heads of the two rivers, a continued fastness through which there is no passage, but through such passes as are easily secured with little charge.”¹

But it seems, on final consideration, not to have been thought necessary to clear the part of this district lying north of Dublin, being a plain, without any of these mountains or other fastnesses that gave shelter to Tories. The Government, accordingly, confined the plan to the five counties lying south of the River Liffey, declaring that the counties of Wexford, Wicklow, and Carlow, as they are bounded with the Barrow, together with the whole county of Kildare, and also that part of the county of Dublin which lieth south of the River Liffey, should be cleared of Irish and Papists.

Lands, however, without people to till them, are of little value; and there arose such remonstrances from the new planters against removing their tenants and servants,—who set forth that they were necessitated to employ Irish in their tillage and husbandry, to make some profit of their lands, which had long lain waste by the rebellion,—that the Government had to further modify their scheme, and to declare, by their order of 1st May, 1655, that to the intent that the Protestant proprietors and planters might have time to provide themselves with English and Protestant tenants, and in the meantime might have tenants and servants to reap their harvest, they would sanction their stay till the 20th of October next following. But that they should be such only as should be specially licensed by Commissioners appointed for that purpose. And as the late proprietors had, in many instances, become secretly tenants under the soldiers of part of their ancient estates, and were by them sheltered from transplantation, no licenses were to be granted to them, nor to any Irish that dwelt near woods, bogs, or mountains, or whose houses lay scatteringly, not contiguous, or near to other houses. And all Irish not licensed were to withdraw on or before the 1st of August following, on pain of being dealt with by Court-Martial, as spies and enemies, as appears by the Order as follows:—

planting of Ireland with English people.”
By Colonel R. Lawrence. Addressed to the
Lord Lieutenant of Ireland, Lord Henry

Cromwell, Commander-in-Chief. Dublin,
1656. Small 4to.

¹ Id., ib.

*By the Lord Deputy and Council.**" 21st May, 1655.*

"Whereas the late Commiss^{rs} of the Commonwealth of Engl^d for the Affairs of Ireland by their Declaration of the 17th July, 1654, taking notice that through the connivance of transplantable persons in the three Provinces of Leinster, Munster, and Ulster, and through the practice connivance or remissness of other of the Irish Papists dispensed with for some time, Tories and loose and dangerous persons have thereby means and opportunity to disturb the peace and quiet of the country, especially from the great Fastnesses in the C^o of Wicklo, Wexford and parts adjacent, whereby murders and Robberies have been committed and done unto sev^l English, and others who had manifested their good affection to the English Interest: For remedy thereof and further securing the places adjacent to the s^d Fastnesses of Wicklo and Wexford the said Commiss^{rs} did then (amongst other things) Order That all that part of the C^o of Dublin that lyeth on the south of the River Liffy and all the co^s of Wicklo, Wexford, and Kildare and so much of the C^o of Catherlagh as lyeth on the north side of the River of Barrow should be wholly transplanted of Irish Papists by the 1st day of May 1655, of which the said Irish Papists therein inhabiting were required to take Notice and to prepare themselves for a remove accordingly; And if any Irish Papists should without special licence from two or more of the Commissioners in the s^d Declaration named be found within that part of the C^o of Dublin which lyeth on the south side of the Liffy or any part of the Co^s of Wicklo, Wexford, or Kildare, or in that part of the C^o of Catherlagh lying on the north side of the River of Barrow after the said first day of May, 1655, they sh^d be deemed and taken as Spies and accordingly proceeded with at a Court Martial.

"And whereas several English and Protestants, proprietors and planters in the said Co^s concerned, have petitioned this Board that in regard they are necessitated to employ Irish in their tillage and husbandry whereof they make some profit of their lands which have long lyen waste by the Rebellion, they might be permitted to continue their Irish tenants not being Proprietors, nor men in armes, nor transplantable by the Declaration of the 30th November last. Upon Consideration thereof, and to the intent that all persons of the Irish nation being Papists inhabiting within those limits may have convenient time to remove themselves and their families into Connaught and the C^o of Clare; And the Protestant Proprietors and Planters may also have time to provide themselves with English and Protestant tenants, and in the meantime may have tenants and servants to reap their harvest: The Lord Deputy and Council have thought fitt and ordered and do hereby ORDER AND DECLARE That all persons of the Popish Religion which shall be found inhabiting within that part of the C^o of Dublin that lyeth on the south side of the Liffy, and in any part of the Co^s of Wicklow, Wexford and Kildare, and so much of the C^o of Catherlagh as lyeth on the north side of the River of Barrow, other than such as shall be licensed by the Persons hereafter named, do by or before the first day of August next remove themselves and families out of the said limits, and in default thereof that the said Persons be proceeded

against at a Court Martial as Spies, and the Officers of the Army are hereby required and authorised to proceed against them accordingly. And it is further Ordered that the persons hereafter named or any two or more of them respectively be, and are hereby impowered and authorized to give licence for the stay of such Irish tenants and servants of Protestants as the said Protestants shall by or before the first day of August next present or name unto them, viz., for the counties of Dublin and Wicklo—*Sir Hardress Waller, Coll. Hewson, the Mayor of Dublin, Coll. Theophilus Jones, Coll. Ponsonby, Alderman Hutchinson, William Dixon, Esq., Alderman Tygh.* For the C^o of Wexford—*L^t Coll. Brett, L^t Coll. Puckle, L^t Coll. Overstreet, Captⁿ Abel Warren, Captⁿ Camby, Mr. Hussey.* For the C^o of Kildare—*Sir Paul Davis, Sir Rob^t Meredith, Sir John Hoey, Coll. Hewson, Coll. Theophilus Jones, Alderman Hutchinson, Alderman Tygh, Major Meredith, Major Morgan, Mr. Dixon, Rob^t Hall, Gent., Captⁿ Sands.* And for the C^o of Catherlagh—*Coll. Pretty, Captⁿ Barnett, Captⁿ Stopford, Captⁿ Preston, William Rydout, Gent.*

“ Provided that the licences by virtue hereof to be granted exceed not the 20th of October next, and that every such licence describe the name, age, stature, colour of haire, complexion, relation, and place of residence, of each person licenced as above said which shall be above the age of sixteen years: Provided also that no Licences be granted to any Person whose habitation shall be or is within one English mile of any Woods, Boggs, or Mountains that are fastnesses and places of Refuge where the Tories or Rebels have or may betake themselves to lurk and ly hid. But if such persons being Irish Papist Recusants shall be found dwelling in or near those Woods, Boggs, or Mountains, or within one mile thereof then this and every of them shall be taken and punished as Spies notwithstanding any licence granted as abovesaid: Provided also that no Licences be granted to any Persons whose houses or habitations ly scatteringly and not contiguous or near to other houses, But to such only as do or shall live in Townships or Villages near adjoining to other houses and inhabitants in the same Town or Village whereby they may the better defend themselves against the Tories and Rebels, or by due watches give timely notice of the coming and approach of Irish Tories and Rebels from time to time: Provided further that no Licences shall be granted by Virtue Hereof to any Persons transplantable by the Declaration of 20th Nov^r last: And it is lastly Ordered that all and every Irish Papist which after the s^d 20th of October 1655 shall be found inhabiting within the s^d limits without special licence from the Lord Deputy and Councill shall be taken and proceeded against as Spies at a Court Martial —Whereof all Officers whom it doth or may concern are to take notice.

“ *Provided Also that the Licence to be granted by virtue of this Declaration doth not nor shall extend to the permitting any Irish to reside or dwell within two miles of the City of Dublin.*

“ Dated at Dublin the twenty first day of May 1655.

“ THO^s HERBERT,

“ Clerk of the Councill.

"Ordered by the Lord Deputy and Councill that this Declaration be forthwith Printed and published.

"THO^s HERBERT,

"Clerk of the Council."

Dublin: Printed by William Bladen, 1655.¹

This, however, was only a temporary suspension; but the officers and soldiers who had their allotments in these counties engaging for their Irish tenants and servants that they should become Protestants under their care, the Government consented that such of the Irish as should conform within six months, and of whose real conversion they could be satisfied, and such only, should be wholly dispensed with from transplantation, and be permitted to reside within the district. This privilege, however, was not to extend to any proprietor, or to any of his sons or brothers, or next heirs, nor to such as had borne arms in the Irish party.

As an evidence of the candid and ingenuous compliance of the Irish with being instructed in the true Protestant religion, all of them dwelling within four miles of any public meeting-place where the Gospel was preached were to come to hear the Word every Lord's day; if within six miles, every other Lord's day, at least; and if at further distance, once in every month. And they were "to bring their children to be catechized by the minister, and to cause them to learn in the English tongue the catechism without book, which the said minister should teach."

For it was part of the conditions that all the Irish between twelve years of age and twenty that spoke only Irish should learn English within a year, and that all parents and guardians should teach it to their children before they came to twelve years of age. Further, they were to conform to the English habit.²

The conditions were, in fact, such, though not quite so rigorous as had been suggested as necessary for the Irish to observe, that should live in the third or mixed plantation before spoken of, as proposed for the rest of the country, not included in the two separate plantations of Irish and English; the one, pure Irish, already formed within the line of the Shannon; the other, pure English, projected within the line of the rivers Barrow and Boyne.

The conditions for this mixed plantation were—

"1stly. That they [the Irish] be enjoined within a convenient time limited to speak the English tongue; and, for the future, to teach their children no Irish.

¹ Book of Printed Orders and Declarations of the Council for the Affairs of Ireland, formerly belonging to Lieutenant-General Lord Deputy Fleetwood. Preserved in the

British Museum.

² "The Great Interest of England in the Well-Planting of Ireland with English," p. 39.

"2ndly. That they do also observe the manners of the English in their habits and other civil deportment wherein the English exceed them.

"3rdly. That they bring up their children under English Protest. school-masters.

"4thly. That they do attend the public preaching of the Protestant Minister.

"5thly. That they do abandon all their Irish names—as Teig and Dermot, &c., and do call themselves by the signification of such names in English; and do for the future name all their children with English names, especially omitting the (o') and (m^c).

"6thly. That so far as their abilities will afford it, they be enjoined to build their houses with chimnies, as the English in like capacities do, and to demean themselves as to their houses, lodgings, and other deportments accordingly."¹

These two latter conditions, it may be observed, were not insisted on in the plantation within the Boyne and Barrow, probably at the planters' request.

The Tories, however, notwithstanding all these provisions and precautions, continued to infest the new Scotch and English settlers during the whole of the Commonwealth period; they survived the Restoration; they received new accessions by the war of the Revolution and the Forfeitures of 1688; and they can be traced through the Statute Book to the reign of George III.,—during the whole of which period there were rewards set upon their heads; and all their murders, maimings, and dismemberments, their robberies and spoils, were satisfied by levies on the ancient native inhabitants of the different districts.

After the restoration, Col. Poer in Munster, and Col. Coughlan in Leinster, dispossessed of their hereditary properties, headed bands that gave infinite trouble. Redmond O'Hanlon, a dispossessed proprietor of Ulster, for many years, during the whole of the Duke of Ormond's and the Earl of Essex's Lord Lieutenancies, kept the counties of Tyrone and Armagh in terror—the farmers paying him regular contribution to be protected from pillage by other Tories. He dwelt principally in the Fews mountains, near Dundalk. No rewards were of avail. At last, the Duke of Ormond drawing secret instructions for two gentlemen with his own hand (else this outlaw would be sure to get intelligence of the plan formed against him), he was shot through the heart, while he lay asleep, on the 25th of April, 1681. Nor would the Duke ever disclose by whose information he was enabled to accomplish his destruction. "Thus fell this Irish Scanderbeg," says Sir F. Brewster, who had the relation of his death from the mouth of one of the gentlemen employed by the Duke; "who did things, considering his means, more to be admired than Scanderbeg himself."²

¹ Ibid.

² Carte's *Life of Ormond*. Vol. ii., p. 512.

After the war of 1688, the Tories received fresh accessions ; and a great part of the kingdom being left waste and desolate¹, they betook themselves to these wilds, and greatly discouraged the replanting of the kingdom by their frequent murders of the new Scotch and English planters ; the Irish “chusing rather” (so runs the language of the Act) “to suffer stangers to be robbed and despoiled, than to apprehend or convict the offenders.” In order, therefore, for the better encouragement of strangers to plant and inhabit the kingdom, any persons presented as Tories by the gentlemen of a county, and proclaimed as such by the Lord Lieutenant, might be shot as outlaws and traitors ; and any persons harbouring them were to be guilty of high treason. Rewards were offered for the taking or killing of them ; and the inhabitants of the barony, of the ancient native race, were to make satisfaction for all robberies and spoils². If persons were maimed or dismembered by Tories, they were to be compensated by ten pounds ; and the families of persons murdered were to receive thirty pounds³.

But a more effective way of suppressing the Tories, as already mentioned, seems to have been to induce them to betray and kill one another, by offering pardon of all former burglaries and robberies to any Tory who should kill two other Tories proclaimed and on their keeping⁴—a measure which put such distrust and alarm among their bands, that, on finding one of their number killed by a former Tory qualifying for pardon, it became so difficult to kill a second, that it was declared sufficient to kill one⁵. This act was continued in 1755 for twenty-one years, and only expired in 1776.

Tory-hunting, Tory-betraying, and Tory-murdering, thus became common pursuits ; and therefore, after so lengthened an existence, it is not surprising to find traces of the Tories in our household words. Few, however, are now aware that the well-known Irish nursery rhymes have so truly historical a foundation :—

“Ho! brother Teig, what is your story ?
I went to the wood, and shot a Tory :
I went to the wood, and shot another ;
Was it the same, or was it his brother ?

“I hunted him in, and I hunted him out,
Three times through the bog, and about and about ;
Till out of a bush I spied his head,
So I levelled my gun, and shot him dead.”

¹ 7, W. III., c. 21 (A. D. 1695).

² Ibid.

³ 9, W. III., c. 9 (A. D. 1697).

⁴ Ibid.

⁵ 4, G. I., c. 9., s. 13 (A. D. 1717) ; 2, G. II., c. 8.

their answer thereunto. Printed and published by order of the said Councill, 1 of July, 1648.

“KILKENNY, 1648.”

[4to, pp. 16.]

“A Speech made by the Lord Lieutenant Generall of the Kingdome of Ireland, to the Generall Assembly of the Confederate Catholiques at the City of Kilkenny, at the conclusion of the Peace.

“Printed at Corcke, and are to be sold at Roche’s building, without South Gate, 1648.” [A Broadside].

Mr. J. P. Magennis sent an account and drawing of incised primæval scorings, found on the sides of a natural cavern, known as “The Lettered Cave,” on Knockmore Mountain, near the village of Derrygonnelly in the County of Fermanagh; some of which resemble Rhunes, and others seem to be cognate with the incised ornamentation on the stones of the great artificial cave at New Grange, County of Meath. Mixed with the ancient scorings were many modern markings, the work of visitors to the cavern, so that much caution was required to distinguish the genuine ancient scorings.

The following Paper was then read:—

THE PLANTATION OF THE BARONY OF IDRONE, IN THE COUNTY OF CARLOW.

(Continued from page 164.)

BY JOHN P. PRENDERGAST, ESQ.

BUT to return to the barony of Idrone.—It would be interesting to ascertain how the lands were disposed of, under the orders of the Government; but this, from the great destruction of the records relating to the allotment of the lands under the Cromwellian rule, is, perhaps, impossible.

Enough, however, remains to show in what manner Colonel Walter Bagnal’s chief mansion and demesne of Dunleckney was dealt with. This came into the possession of John Corbet, a nephew, or perhaps nearer relation, of Miles Corbet, Chief Baron, one of the Commissioners of Parliament for the affairs of Ireland, who not only installed himself in this ancient seat of the Bagnals, but—strange, and most unnatural!—brought home Colonel Bagnal’s orphan daughter, Katharine, to it, as his wife.

As regards the estate, it is not difficult to understand how John Corbet was so fortunate as to obtain so good a settlement as the

lands of Dunleckney. The counties of Dublin, Kildare, Carlow, and Cork, were reserved, as has been already mentioned, for the benefit of the more immediate friends of the Republican Government; and, as was to be expected, the members of the Government were not behindhand in appropriating for themselves the finest seats.

Thus Edmund Ludlow took possession of the Castle of Monkstown, near Dublin, the residence of Mr. Walter Cheevers; while Cheevers, descended of one of the most ancient and distinguished "old English" families of the Pale,—coeval with the first conquest,—was at once transplanted with his family to Connaught, where they long dragged on a miserable existence, unprovided with a proper dwelling, notwithstanding the express request of the Government to the Commissioners for setting out lands to the Irish in Connaught, "to set him out lands with a convenient house upon them, such as might enable him and his family to subsist, and render his being comfortable," on the grounds "that he had parted with a faire house, and left a considerable estate in the county of Dublin."¹

In like manner, Chief Baron Corbet took possession of Malahide Castle, six miles to the north of Dublin, the ancestral seat of the ancient English family of the Talbots from before the days of King John. The Chief Baron's house and family in Dublin, it appears, had been visited by the plague in the summer of 1653; wherefore, he got an order for Malahide Castle, then in the possession of the owner, Mr. John Talbot, ancestor of the present Lord Talbot de Malahide, who was ordered instantly to transplant to Connaught; and the Chief Baron, at Christmas, took up his residence in Malahide Castle.²

¹ "The Councill for the Affairs of Ireland to the Comm^{rs} for setting out lands to the transplanted Irish at Loughbrea, 27 Aug^t. 1656.

"By order of this Board of 4th of July last (made upon the Petition of Walter Cheevers late of Moncktowne) you were (for the reasons therein expressed) required to take care that in the setting out unto the s^d Walter Cheevers the lands decreed unto him by the late Court of Athlone, they should be such lands with a convenient house thereon as might enable him and his family to subsist and render his being comfortable; the which they doubt not will seasonably receive your care and due observance. Nevertheless, upon reading another petition of the s^d Mr. Cheevers setting forth, That pursuant to the said order you have only sett him out 600*l*. of land or thereabout, and some conveniency of a house which dothe not answer either the favour intended him by the afo^r Order or his

expectation, having parted with a faire house and left a considerable estate in this county.

"The Councill have commanded me to remind you of the aforesaid order, and that you do forthwith sett out unto the s^d. Mr. Cheevers soe many acres more within the lyne and contiguous or as near as may be to the other already sett out as shall in the whole make up 1200*l*. with a good house thereupon for his conveniency and comfortable subsistence, pursuant and as part of what falls due unto him by the aforesaid Decrees of the s^d Court.

"Dated at the Councill Chamber in Dublin, the 27 Aug^t. 1656.

"THO^s HERRERT, Clerk of the Council."—"Orders of Council for the Affairs of Ireland."

² Upon reading the petition of John Talbott, stating that he had transplanted according to order, also an order of the 20th of May, 1654, for a convenient house to be sett out to him in Connaught, and praying that

—that cruel and bloody guard,” as the Attorney-General called it, that surrounded “the High Court of Injustice” that condemned the King to die; and Corbet, for being one of the judges of that pretended court.

By an order bearing date the 9th of March, 1656-7, John Corbett became tenant to the estate of Dunleckney, and other lands in the Co. Carlow, lately belonging to Colonel Walter Bagnal;² and in the month of December, 1658, he had allowance by way of deduction of rent for the sum of £8, in virtue of a set-off he had of like amount in respect of a sum of £40 allowed to his now wife, Katharine Bagnall, for her maintenance till May, 1658.³

And now, having gone through that gloomy period that followed that fatal night of the 23rd of October, 1641, the happier era of the Restoration dawns upon young Dudley Bagnal, who, more fortunate than the great body of his friends and countrymen, was restored to his estate soon after the King was restored to his Crown. Others of equal loyalty obtained decrees of the Court of Claims to have back their ancient estates; but as it was provided by the Act of Settlement that the adventurers and soldiers in possession under the Commonwealth settlement were not to be removed without being first “reprised,” that is, provided with another estate by the Commissioners—and as the Government officials were in no hurry to do this, even if they could have found sufficient lands to supply them—the dispossessed owners never were restored, but wandered, many of them, about their ancient inheritances, living upon the bounty of their former tenants.

These poor Irish peasantry, with a generosity characteristic of their race and country, seem never to have refused them hospitality, or to have deserted them. The ancient owners “had still such influence and respect,” says Archbishop King, writing after the Revolution of 1688, “from their tenantry and the Irish generally, that they maintained them in idleness and in their coshering manner.”

“These vagabonds,” he continues, “reckoned themselves great gentlemen, and that it would be a great disparagement to them to betake themselves to any calling, trade, or way of industry; and, therefore, either supported themselves by stealing and Torying, or oppressing the poor farmers, and exacting some kind of maintenance either from their clans or septs, or from those that lived on the es-

¹ “State Trials,” vol. v., p. 1147.

² “Upon consideration had of the within Petition of John Corbett, Esq., desiring to become tenant for the lands of Dunleckny, and other lands in the Co. Catherlagh lately belonging unto Colonel Walter Bagnall—

“Ordered:—That the Petit^r do (if he shall think fitt) make his application to the Comm^{rs}. appointed to sett and lett the lands

belonging to his Highness and the Commonwealth in that Co. who are to treat and proceed with the Petit^r for y^e premises desired according to instructions.

“Dated at Dublin, 9 March 1656-7.”—“Orders of Council for the Affairs of Ireland.”

³ Books of the Court of Claims (*tempore* Cromwell) in the Exchequer, Ireland.

tates to which they pretended. And these pretended gentlemen (together with the numerous coshering Popish Clergy that lived much after the same manner) were the two greatest grievances of the kingdom, and more especially hindered its settlement and happiness."¹

These were "the pretended Irish gentlemen that will not work, but wander about, demanding victuals, and coshering from house to house among their fosterers, followers, and others," described in the Act of 1707, "for the more effectual suppressing of Tories, &c.," and who were (on presentment of any Grand Jury of the counties they frequented) to be seized and sent on board the Queen's fleet, or to some of the plantations in America (6 Anne, Ir., cap. ii.).

The grandfathers of men now alive have described seeing the heir or representative of the old forfeiting proprietor of 1688 wandering about with his ancient title-deeds tied up in an old handkerchief,—these, and the respect paid by the peasantry, being the only signs that were left him "to show the world he was a gentleman."²

One of the best-remembered of these poor, dispossessed gentlemen is Edmund Ryan of the Hill—known among the peasantry by

¹ King's "State of the Protestants of Ireland under the Government of King James II.," p. 37. 8vo. Dublin. 1730. See also "A Tour through Ireland." Dublin: 1748. P. 147.

² In 1663, the House of Commons, then composed of adventurers and soldiers, seem to have been much afraid of the effects that the sight of these memorials of their former happiness and dignity might have upon the dispossessed proprietors and their families; and, by one of their propositions for more rigorous proceedings by the Commissioners for executing the Act of Settlement, they desired that these title-deeds should be taken from them.

The following are Sir Audley Mervyn's words, when enforcing, as Speaker of the House of Commons, before the Lord Lieutenant, the seventh proposition of the House:—

"As to that part that desires the writings of nacent persons to be left in the Court, it cannot work a prejudice to them; for the lands being adjudged against them, to what purpose will the writings operate in their hands? But, Sirs, I correct myself: they will have an operation; and this puts me in mind of a plain, but apposite, similitude. Sir, in the north of Ireland the Irish have a custom in the winter, when milk is scarce, to kill the calf, and reserve the skin; and, stuffing it with straw, they set it upon four wooden feet, which they call a *Puckan*; and the cow will be as fond of this as she was of the living calf: she will low after it, and lick it, and give

her milk down, so it stand but by her. Sir, these writings will have the operation of this *Puckan*; for, wanting the lands to which they relate, they are but skins stuffed with straw. Yet, Sir, they will low after them, lick them over and over in their thoughts, and teach their children to read by them, instead of horn-books; and if any venom be left, they will give it down upon the sight of these *Puckan* writings, and entaile a memory of revenge, though the estate-tail be cut off." "The Speech of Sir Audley Mervyn, Speaker of the House of Commons in Ireland; delivered to James, Duke of Ormond, Lord Lieutenant of Ireland, the 13th day of February, 1662-3, in the Presence-Chamber in the Castle of Dublin. Small 4to. Dublin: 1663." P. 19.

This Irish custom is reported in Fynes Moryson's, "Itinerary," Part III., Book 3, chap. v., p. 163. Folio. London. The same practice prevails at this day in Tartary, where they thus succeed in milking their wild cows after taking away the calf.—"Travels in Tartary, Thibet, and China, during the years 1844, 45, 46." By M. Huc. Translated: 2 vols. 12mo. Illustrated London Library.

The Highlanders of Scotland used this contrivance, and called it a *Tulchan*; hence King James's bishops were nick-named *Tulchan* Bishops; to imply that they were officials of straw, merely set up as means of milking the Scotch people of money in the form of church-dues.—P. 201. "The Art of Travel." By

his Irish name of Emmun-a-Knock,—who haunted the neighbourhood of Slew-Phelim, and lies buried in the churchyard of Doon,¹ at present the estate of the Earl of Derby, in the county of Limerick. There is a beautiful ode attributed to him, bewailing his being deserted by his mistress, translated by Miss Brooke—

“Ah! poor plunder’d heart of pain,
When wilt thou have an end of mourning?
This long, long year I look in vain
To see my only hope returning.

“‘Why art thou false to me and love?
(While health and joy with thee are vanish’d;)
Is it because forlorn I rove—
Without a crime unjustly banish’d?

“‘Yet, oh! hear me fondly swear,—
Though thy heart to me is frozen,
Thou alone of thousands fair,—
Thou alone should’st be my chosen.’”

But Dudley Bagnal, as has been already stated, had a happier fate.

The county of Carlow having been reserved by the Commonwealth from being set out amongst the adventurers and soldiers, there was no need of a reprise, nor anything to prevent Dudley Bagnal’s being restored immediately to his estate. It had been let by the Commonwealth Government (as appears by his petition to the Court of Exchequer) for £800 a year, part of it at least, to John Corbett, as has been already shown, and was, therefore, actually in the King’s hands, whose receivers were entitled to the rents. Dudley Bagnal was not long in obtaining a King’s letter to the Lords Justices of Ireland to restore him to his estate, which is dated the 26th of February, 1660–1; and he further presented a petition to the Lords Justices, praying to be put into possession of it, and to be allowed a recompense for the amount of the half-year’s rent, which accrued due at Michaelmas (1660), and had been received for the King by the officers of the Exchequer.

It will not fail to be observed that Dudley Bagenal is stated in this letter to have had his eldest brother George “slain in Ireland, serving under our authority,” of which, however, no other notice has been met with; and that Dudley found means at Oxford, “even when hee was a student,” of giving early testimony of his zeal to the King’s service.³

F. Galton. 12mo. Third Edition. London: 1860.

¹ Lewis’s “Topographical Dictionary.”

² Crofton Croker’s “Legends &c., of South

of Ireland,” p. 341.

³ See his petition to King James II., where he particularizes these acts of his when at Oxford, *infra*.

*"King's Letter in favour of Dudley Bagnal.**"February 26, 1660-1.**"CHARLES R.,*

"R^t. Trustie and well-beloved Councillors, and R^t. Trustie and well-beloved Cousins and Councillors wee greete you well. Having taken into our consideration the contents of the certificate of our R^t. trusty and R^t. entirely beloved cossin and Counsellor James, Marquis of Ormond, Lord Steward of our Household, dated the 19th day of November last in the behalf of Dudley Bagnall, sonne and heire to Colonel Walter Bagnall dec^d., wherein it appeareth that the said Colonel Walter Bagnall submitted to the peace made in Ireland in the year 1646, and wherein he was so instrumentall, that from the time of the Cessation concluded in that kingdom until the said yeare, he manifested so far his fidelity to the service of our late Father of Blessed Memory that hee kept continual correspondence with the said Lord Marquis of Ormond then Lord Lieut^e General of that our Kingdom in order to the effecting of the said Peace when many others opposed the same; and being at that time Governor of the County of Catherlagh, did secure a stronge passage for the said Lord Lieutenant and the party under his comaund¹, and had then with his wife and children and family [retired] with the said Lord Lieutenant to Dublin, and quitted both his real and personal estate other than what he could then bring with him; but that in order to our late Father's future service hee was commaunded by the s^d Lord Lieutenant to remain in the said County where soon after by the then prevailing power of the Pope's Nuncio he was dispossessed of the garrison that commaunded the said considerable passage called Loughlin Bridge, and committed prisoner to the Castle of Kilkenny, all which, notwithstanding, he still contributed his utmost endeavours for compassing that peace which was concluded by our authority in the year 1648, at which time the said Colonel Walter Bagnall served in our army in Ireland under the command of our said Lord Lieut^e. and upon all occasions demeaned himself as courageously and faithfully as any person whatsoever and adhered constantly and affectionately to our said Lord Lieutenant until his departure out of that kingdom.

"And after manifesting the like zeal to our service under the Marquis of Clanrickarde and until by the prevailing power of Cromwell, hee with others of that Nation were forced to lay down arms; and after articles of warre concluded was by a pretended High Court of Justice perfidiously put to death at Kilkenny being then a hostage in the hands of that prevailing [power].

"In which barbarous proceedinge Colonel Axtell one of the murderers of our said Royall Father was a principal contriver and actor as we are informed.

"Wee have also taken into consideration that Captain George Bagnall, eldest brother to the said Dudley Bagnall, was slain in Irel^d., serving under our authority; and that the s^d Dudley Bagnall himself hath given early tes-

¹ See *supra*, p. 37.

timony of his zeal to our service even when he was a student at Oxford. Wee may not therefore but bee very sensible of the merits of the said Colonel Walter Bagnall and of his children. And how sadd it were that a person who hath so carefully looked after the benefit of our Articles of Peace, and so indefatigably endeavoured the conservation thereof to the hazard of his life, liberty, and fortune should now bee frustated of the mercys and advantages that were intended to derive thereby to our subjects in general, and especially to that family for whom not only their own but the eminent services of their ancestors to our Royal Predecessors doe highly merit our grace and favour, Sir Nicholas Bagnall and Sir Henry Bagnall his son, ancestors to the ^{s^d} Dudley Bagnall, Knights Marshall of Ire^l^d, having lost their lives in the service of King Edward the Sixth and of Queen Elizabeth, and Colonel Dudley Bagnall, great grand father to the ^{s^d} Dudley Bagnall being killed at the head of his party fighting against those that were then in [arms] in that kingdom; *insomuch as they may justly say from father to son in several discents that they lived and ended their days for us and our Royal Predecessors.* We have therefore thought fitt and it is our will and pleasure that you take speciall care after this our Royal Letter and our late Declaration to inform yourselves how and in what manner wee may settle such an estate of his Ancestors or other lands upon him and his heires as may be equivalent to his father's estate and encourage him to continue in the path of an uninterrupted loyalty wherein his ancestors heretofore have served our Royal Predecessors; and not only to give us particular accompt thereof with all convenient speed, but to direct our Comm^{rs} appointed for the execution of our Declaration of this our Letter to doe what you shall think fitt for the said Dudley Bagnall's releefe according to our good intentions towards him, and as fully as our said Declaration will any way warrant, wherein you are to take especiall notice that wee shall account in you a speciall service to us that you effectually provide for him herein. And upon hearing from you of your proceedings, which wee require may be with speede, you shall receive our further directions if need be of our approbation of your observance of this our Command. Given at our Court at Whitehall this 26th day of February 1660-1.

“By His Majesty's command,

“EDWARD NICHOLAS.”

“Directed,

“To our R^t Trustie and Well beloved Councillors, and to our R^t. Trustie and Well beloved Cossins and councellors our Lords Justices of our Kingdom of Ireland, and to our Governour or Cheefe Governours for the time being, and to every of them.”¹

The following is the Petition he presented to the Lords Justices :—

¹ Book of “Kings' Letters” (A. D. 1660-1661), preserved in the office of the Chief

Remembrancer of the Court of Exchequer in Ireland.

"The humble Petition of Dudley Bagnall Esq., of the Barony of Idrone in the County of Catherlough Esq.

"Sheweth that your Suppliant's estate, descended to him from his ancestors, lyeth entirely in the Barony of Idrone and C^o. of Catherlough and not disposed of to the Adventurers or Soldiers; That your Suppliant is and always hath been a Protestant according to the principles of the Church of England¹: That he is now in his Majesty's actual service: That by an act high of injustice and oppression he was kept out of his Estate, now in chardge in His Majesty's Court of Exchequer at £800 per annum, for many years past untill His Majesty's happy restoration: That he humbly conceives and is informed by his counsel that for the last Michaelmas rent of that part of his Estate by your Lordships otherwise disposed of for His Majesty's service recompense is of right due unto him.

"His humble suit unto your Lordships is to issue your order to all His Majesty's Officers whom it may concern to restore the Petitioner to the actual possession of his said Estate pursuant to the Laws of the land and his birthright, and to give order for some recompence for the s^d last Michaelmas rent to be paid unto him to pay some [debts] in England by him incurred in His Majesty's service and thereby so enable him to plant and settle his estate: and to order that his Estate be put out of chardge as for Michaelmas last.

"And your suppliant therefore prays your Lordships in order to the premises to reflect on his Majesty's Most Gracious and Princely Letters in your Suppliant's behalf hereunto annexed, and hereupon prays your Lordships that the same be forthwith enrolled in His Majesty's Four Courts at Dublin. And he by his trustee and Agent Patrick Darcy—[The entry is imperfect].²

Under the Acts of Settlement and Explanation, provision was made for further securing the rights of Dudley Bagnal, Henry Bagnal, and Catherine Corbett, otherwise Bagnal, so that nothing in that Act should prejudice their rights to the estate held by their father, Walter Bagnal, on the 23rd of October, 1641. How the forfeited lands in the barony of Idrone were finally set out, under the Decrees of the Court of Claims, established by those Acts, will appear in the transcript from the Book of Distributions, inserted in the Appendix to this Paper, No. I.—the first column of which shows who was the former proprietor who forfeited the lands; and the last, the names of those to whom the lands were awarded under the Decrees of the Court of Claims.

But this long series of forfeitures is not yet complete. We have considered the forfeiture and projected clearance of this territory of Idrone, with the adjacent districts within the line of the Barrow, by King Richard II.; the renewal of the project in King Henry

¹ Yet his name is attached to "The Faithful Remonstrance of the Roman Catholic Nobility and Gentry of Ire^l," presented to King Charles II. in 1661. Dalton's "List

of King James the Second's Irish Army," p. 7. 8vo. Dublin. 1855.

² Book of "Kings' Letters," office of the Chief Remembrancer.

the Eighth's day ; its partial execution in King James the First's reign ; the Commonwealth Settlement, in which it was carried out ; the Restoration Settlement has been last in hand ; there remains the Revolution Settlement, or the " Forfeitures of 1688."

At the time of the accession of James II., Dudley Bagnal had been in possession of his estates about five-and-twenty years. In 1668 he had married Anne Mathew, of Thomastown, in the county of Tipperary, and in the year 1688 was the father of a family of eight children. He was now in the fiftieth year of his age ; and peace and quiet must have been doubly dear to him, from the recollection of all the calamities entailed upon himself and his family by the civil war of 1641.

It might be expected that, on the sounding of the trumpet for a fresh civil war, he would have pleaded, if he might, his former sufferings ; and have asked permission to abide the event in quiet—a spectator of the fight, and no partaker. Others, who were younger, and had not felt the smart, might take their turn. But in civil war there can be no neutrals. Dudley Bagnal, therefore, like his father, took up arms for King James, even though the King was rejected by his subjects in England. The risks might be desperate ; the rightful cause might become at length the wrong ; but had he not seen the dynasty restored, and found loyalty recompensed in his own person ?

Dudley Bagnal, too, was not without ambition. Among the Ormond Papers at the Bodleian Library, there is preserved a petition he presented to King James II., on his ascending the throne, praying for a place at Court, and which, as setting forth some curious incidents in his chequered career, is here given. It bears no date ; but contains internal evidence of the period when it was presented.

" To the King's Most Excellent Majesty. The humble Petition of Dudley Bagnall Esq.

" Sheweth, that your Petitioner addressed himself early to your Majesty at a time he thought your Majesty might have occasion to prove the loyalty of your most stanch and best subjects: That his proffer proceeded, not from any manner of ostentation, but from his fervour, and the assurances he drew from his fortune and friends, and the full resolution he had of performing, which was very well grounded.

" That His Grace the Duke of Ormond is well acquainted with the character of your Petitioner's ancestors, and of their merits, sufferings, and services: That he had several tryalls of Colonel Walter Bagnall's, both against the Nuncio and Cromwell, till finally the said Colonel, your Petitioner's father, being a hostage of warr, was barbarously executed at Kilkenny in the year 1652, by order of the Usurpers.

" That as your Petitioner was upon all occasions, so will he ever be ready to imitate the zeal of his said ancestors' hereditary loyalty ; and being a student at Oxford was engaged in several risings which were to be for

his late Majesty's Restoration, as did appear by certificate formerly produced, after which he was a volunteer in the first Dutch warr along with Coll. James Porter: That likewise (with his Grace the Duke of Ormond's permission) he was obliged in the time of the pretended Popish Plott to fly into France, where he lived some yeares with his wife, children, and familie.

"That your Petitioner merely from the motive of his ambition to be employed in your Majesty's service covetts extremely to be of your Majesty's ffamily and attendance in what qualitie your Majesty shall think fitt, all which is the humble request of your Petitioner,

"Who will ever pray for your Majesty's prosperitie."

On the 1st of May, 1689, he was returned a representative, with Henry Luttrell, in King James the Second's Irish Parliament, for the county of Carlow. He was appointed Lord Lieutenant of the county, and had command of a Regiment of Infantry. On the 18th of June, 1690, his regiment was stationed at Dundalk (as appears by Captain George Gaffney's Autograph Memorandum Book²), and furnished a guard to defend the Moyry Pass (the gate of Ulster), against the advance of King William from Dundalk. But King James having retired southwards, with the view of defending the passage of the Boyne, we find his regiment—on the 24th of June, the day-week before the famous battle—encamped at Cookestown, near Ardee, where were, in the second line on the right, Lord Clare's, Sunderland's, and Parker's regiments of horse; and Hamilton's, Lord Meath's, Sir Michael Creagh's, Mac Gillicuddy's, O'Brien's, Bagnall's, and Lord Tyrone's regiments of foot.³

After the rout, or "breach of the Boyne," of course, all was lost; and his great estate in the barony of Idrone was again forfeited. By an Inquisition of Office, as it is called, held at Carlow on the 8th of December, 1690, before the King's Escheator of the Province of Leinster, by virtue of a Commission from King William and Queen Mary, to inquire of what crimes Dudley Bagnal was attainted, and of what lands and goods he was seised at the time of his attainer, it is found—

"That the said Dudley Bagnal and other false traitors and rebels against the said King and Queen, compassing to deprive them of their government of the Kingdom of Ireland, traitorously assembled themselves and made an insurrection on the 1st of May, in the first year of their reign, being arrayed in warlike array with banners, swords, cannon, and other weapons, as well offensive as defensive.

"And that the said Dudley Bagnal after the said 1st of May was "locum tenens (Anglice Leivetennant)" of the county of Catherlagh aforesaid, and

¹ Carte MSS. D. O. Ireland. Vol. i. (Folio), p. 195, preserved in the Bodleian Library, Oxford.

² "Transactions of the Kilkenny Archæological Society," vol. iii., p. 170.

³ Id., ib.

one of the Commons assembled in a pretended Parliament held at the King's Inns, in the city of Dublin, in the aforesaid month of May, and the said Dudley Bagnal with other traitors there assembled, as far as in him lay traitorously made divers ordinances in subversion of this Kingdom of Ireland, and in destruction of the Protestant religion of this Kingdom of Ireland, of which several treasons the said Dudley Bagnal was attainted on the 12th of February in the year aforesaid."

The Inquisition proceeds to find that Dudley Bagnal was seised of the lands in the barony of Idrone, as heretofore enumerated, which by means of this finding were, thereupon, confiscated, and vested in the King and Queen.

But the Inquisition further finds that Dudley Bagnal was also entitled to an estate in remainder, in all the great estates of the Bagnal family in the county of Down. It sets forth that Arthur Bagnal, late of Newry, in the county of Down, being seised of all these estates in Easter term, in the ninth year of the reign of King Charles the First (A. D. 1634) levied a fine, and settled the estates, in case of his dying without male issue, to Griffin Bagnal, his second brother, and his heirs male; and in default, to his third brother, John, and his heirs male; in default, remainder to the daughters of the said Arthur in tail male; in default to Nicholas Bagnal, son of Dudley Bagnal, and his heirs male; remainder to George Bagnal, second son of the said Dudley Bagnal, and his heirs male; that the said George was father of Walter, and grandfather of Dudley, which said Dudley, as son and heir of Walter, son and heir of George, was seised at the time of his attainder of the remainder aforesaid; by reason whereof, and by virtue of the attainder aforesaid, the said King and Queen, according to the laws of this Kingdom of Ireland, are entitled in right of their Crown to the remainder aforesaid.

This, however, was only an expectancy, and never took effect in possession; for Arthur Bagnal had an heir, through whom the Down estates were derived to two heirs female, from one of whom the Newry, Green Castle, and Mourne estates passed to Lord Kilmorey, who is now in possession; while those in Louth passed to the Marquis of Anglesea, who sold them in the Incumbered Estates' Court, within the last two years. The Inquisition runs thus:—

"*Inquisitio indentata capta apud Catherlagh in comitatu Catherlagh in 8^o die Decembris, A. D. 1690, coram Edmundo Jones Deputat. Escaetor Provinciæ Lageniæ et Ricardo Forster Arm^o Escaetor Prov. Lageniæ et Johanne Brown Arm^o virtute Commissionis Dom. Regis et Reginæ Gulielmi et Mariæ huic inquisitioni annexatæ præfato Ricardo Forster vel deputato suo et præfato Johanni Brown et aliis sive aliquibus 3 vel 2 eorum quorum præfatus Escaetor aut ejus deputatus unum esse debet extra curiam predictam Domini Regis et Reginæ Scacarii sui Hiberniæ apud Le Foure Courtes Dublin directatæ ad inquirendum quibus die et anno vel diebus et annis et de quo vel de quibus Crimine vel crimini-*

bus Dudleius Bagnall attinctus fuit et de quibus terris et tenementis et de quo annuo valore ultra reprisas prædictus Dudleius Bagnall seisitus vel possessionatus fuit et de quibus bonis et catallis debitis juribus aut creditis idem Dudleius Bagnall tempore perpetracionis criminis seu attincturæ prædictæ vel aliquis alius sive aliqui alii ad usum suum possessionatus sive seizitus fuit vel fuere in usu vel possessione vel reversione seu remanerio, &c., per sacramentum proborum et legalium hominum comitatus prædicti quorum nomina subsequenter, &c., Qui jurati, &c., dicunt quod dictus Dudleius Bagnall in commissione prædictâ mentionatus et alii falsi traditores et rebellatores contrâ dictum Dominum Regem et Reginam Deum præ oculis suis non habentes nec debitam ligeantiam suam considerantes sed instigatione diabolicâ seducti, imaginantes et compassantes prædictum Dominum Regem et Reginam de legali stylo et regimine et potestate Regni sui Hiberniæ deturbare ac gubernatione ejusdem regni pro voluntatibus et libertatibus mutare et alterationem vi et armis, viz., Vexillis, gladiis ferreis, tormentis sive bombardis et aliis armaturis tam defensivis quam invasivis modo guerrino armati et arreati 1^o die Maii anno regni dicti Regis et Reginæ primo ad intentionem infandissimam prædictum exigendam et perimplendam seipsi false et proditorie cum magnâ multitudine publicorum inimicorum dictum Regem et Reginam regni sui Hiberniæ insimul insurrexere comovere, assemblavere, et universe ad bellum crudelissimum contra dictum Dominum Regem et Reginam ad tunc false hostiliter rebelliose et proditorie paravere et levavere contra ligientiam suam debitam in magnum periculum personarum dicti Domini Regis et Reginæ contra pacem, &c. Quodque prædictus Dudleius Bagnall post prædictum 1^m diem Maii fuit Locum tenens (Anglice Leivetenant) comitatûs prædicti Catherlagh, nec non unus Communium assemblatorum in pretenso Parlamento tento apud King's Inns in Civitate Dublinie in mense Maii anno supra dicto et quantum in ipso Dudleius Bagnall fuit cum diversis aliis proditoribus ad tunc et ibidem assemblatis rebelliose et proditorie fecit diversas ordinationes in subversione legum hujus regni Hiberniæ et in destructionem Protestantis Religionis hujus regni Hiberniæ de quibus quidem separalibus prodicionibus dictus Dudleius Bagnall attinctus fuit 12^o die Feb. anno supradicto prout per recordum in Evidenciâ ostensum magis planè liquet et apparet, &c.”

The lands of which Dudley Bagnal was then seized are enumerated.

By another Inquisition of equal date, the jury find—

“Quod Arthurus Bagnal nuper de Le Newry in comitatu Downe Armiger defunctus in vitâ suâ seisitus fuit in dominio suo ut de feodo suo de et in Maneriis Villis et Terris de Newry et Green Castle in Comitatu Downe ac de et in piscaturâ aquarum de Feddan ac de et in advocacioni Ecclesiæ de Newry, et in Manerio villâ et terrâ de Omeë et Carlingford ac Piscaturâ rivulorum de Carlingford in Comitatu Lovidiæ Ac de et in villâ et terrâ de Glanree, &c., Mayassee alias Faddam, Ballybrin, Dromloghane, alias Ballaghone, alias Ballaghon, Tannamore, alias Tanonaghmore, Ballyclone, Drughbally, Balleagh, Carraghbally, Ballykerrin, Balleongna, alias Ballyballeegan, Dromonlyvally, alias Drunmin et le

Vally. Ac de et in liberâ piscaturâ in rivulo sive aquâ de Glenree in comitatu Ardmagh.”¹

But the forfeitures of 1688 were, in one respect, far less severe than those of 1653. Those who were engaged in the war of the Revolution forfeited only for themselves; while those in remainder, if they had taken no part, were allowed to claim their estates. Under the Cromwellian Government, the whole family, and all who were entitled in reversion or expectancy, were swept off to Connaught.

At the time of Dudley Bagnal's marriage in 1668, a settlement took place of the estates, by which they were entailed on the eldest son of the marriage, subject to a jointure, and to £5000 for the younger children. So that Dudley Bagnal could only forfeit his life estate; and as Walter, his eldest son, was fortunately too young to take up arms with his father, his prospects were not sacrificed.

But still the whole family would have been utterly destitute during Dudley Bagnal's lifetime, only for the pity King William III. felt for such great misfortune as seemed continually to befall this Idrone branch of the Bagnals. He accordingly made an allowance out of the family estate, which had come into his hands under the forfeiture, of £400 a year to Dudley Bagnal's wife, during the life of her husband, in order to support their numerous family,—being equivalent to the amount of jointure she would be entitled to under the settlement, at her husband's death. They ran a very great risk, however, of losing even this small provision for their necessities.

The prodigal donations of forfeited estates made by King William III. to his favourites and to foreigners created so much discontent in England—where the recollection of the Commonwealth mode of dealing with Irish lands, of setting them out after the old Roman way among the victorious legions for their reward, was not forgotten—that the Parliament, in the year 1700, passed an Act of Resumption², which avoided all royal grants of land made after the 13th of February, 1688–9; and, by an act passed in 1703, directed that they should be sold by public cant to the highest bidder, discharged of all estates or claims, except such as should be proved and allowed by the Commissioners at their court, appointed to sit at Chichester House, in College-green, the proceeds to be applied to discharge the arrears of pay due by debentures to the officers for service under King William in the wars of France and Ireland.

In the act of 1703, however, there was a saving, or proviso, that it should not be construed to make void the grant made by the King for the subsistence of the wife and children of Dudley Bag-

¹ The jury then find that the said Arthur Bagnal, together with Sir Edward Trevor, Knt., levied a fine in Easter term, in the ninth year of Charles I., before the Justices of the Common Pleas, the Right Hon. Thomas Viscount Savage, and Sir Richard

Trevor, Knt., of all the premises aforesaid, to the uses in the fine as specified at p. 182, *supra*. “Inquisitions” of C^o Carlow, 1 and 2 W. & M. 5 Court of Exchequer of Ireland

² 11th and 12th Wm. III., c. ii., Engl.

nal', and she was accordingly allowed this charge; and the eldest son, Walter, was enabled to prove his title to the family estates in remainder after his father's death, and the younger children their charges of £5000.²

Amongst the claims, the following³ were allowed and established against Dudley Bagnal's estate:—

No.	Claimants.	The Estate or Interest claimed.	By what Deed or Writing.	On what Lands.	County and Barony.	Late Proprietor.
334	Walter Bagnall.	Remainder in fee for life and to issue male in tail in reversion after a jointure and term of 500 years for sister's portions.	By deeds of Lease and Release, dated 4th and 5th March, 1668. Witnesses, John Bryan, — Arther, R ^d . Power, J ^s . Morris. By deeds of feoffment, dated 17th May, 1668. Witnesses, Justin M'Carty, Hen. Bagnall, Ed. Butler, John Bourden, Dennis Connery, Thomas Prendergrass. Deeds of Lease and Release, dated 16th and 17th October, 1688. Witnesses, Martin Folkes, Andrew Carr, R ^d Collins R ^d . Tonson.	Ballymone, [Ballymoon?] Ballylow, Oldtown, Down-leckny.	Co. Catherlagh. Allowed.	Dudley Bagnal.
613	Anne, the wife of Dudley Bagnall, Esq.	£400 a year during her husband's life. A jointure after his death.	By a Saving clause in the late Act. By deeds of Settlement in the year 1668, and 1688. Witnesses, Justin M'Carty, Henry Bagnall, Edward Butler, John Bryan, R. Power, Martin Folkes, And ^w Ker, et al.	The forfeited lands of Dudley Bagnal Old Town, Orchard, Killedmond.	Co. Catherlagh.	Dudley Bagnal.
614	Sir Gervas Clifton, Bart	£2000 portion and interest with Dame Anne his wife.	By Articles of Agreement, dated 16th July, 1687. Witnesses, Ed. Burdett, Adam Colclough, R ^d . Pepper.	All the lands.	Co. Catherlagh.	Dudley Bagnal.
615	Nicholas Bagnal and others, the younger children of Dudley Bagnal, John Butler, surviving executor of Walter Butler and Sir Gervas Clifton, Bart., for Dame Anne, his wife.	£5000, for their portions, besides maintenance and with remainders in tail to them limited.	By Lease and Release bearing date the 16th and 17th of October, in the 4th of the late King. Witnesses, John Bryan, Richard Power, Martin Folkes, et al.			
616			Same entry as above.		Co. Catherlagh.	

Dudley Bagnal, however, unable possibly to endure the sight of his native land, associated in his mind with so many miseries, or

¹ 1 Ann. St. i., c. 32, Engl.

² 11th and 12th Wm. III., c. ii. (Engl.) sect. 53.

³ "A List of the Claims, as they are entered with the Trustees at Chichester House,

in College Green, Dublin, on or before 10th August, 1700." Folio. Dublin. "Printed by Joseph Ray; and are to be sold by Patrick Campbell, bookseller, Skinner-row, 1701." —In the Library of the King's Inns, Dublin.

perhaps fearing the consequences of his attainder, retired to spend the sad remnant of his days in Flanders, where he died in exile, in the city of Bruges, on the 27th July, 1712.

In reviewing this detail of events occurring in the course of one century in connexion with the history of one family, and confined to a single barony in Ireland, there is presented a striking illustration of the consequences following the kind of agrarian laws under which landed property in Ireland fell to be dealt with—the barony of Idrone having been, in little more than that short period, thrice confiscated—first, under Sir Peter Carew’s proceedings, in the year 1568; next, under the laws of the Parliament of the Commonwealth, in 1654; and, lastly, under the attainders and forfeitures of 1688. And though the final loss remained with the displanted Irish, who, dispossessed and impoverished, perished from their native homes—so that the ancient places thereof knew them no more, or sank with their families from the rank of chieftains and gentlemen, into the grade of mere potato-diggers and turf-cutters, hired labourers of strangers on the lands they once owned as lords—yet those by whom they were supplanted were not themselves exempt from a long bed-roll of calamities.

Looking first upon Dudley Bagnal’s line, that line which supplanted the Kavanaghs in Idrone, what do we find? Dudley, the first purchaser, the founder of his line, murdered by his Irish tenantry; Sir Henry Bagnal, his eldest brother, Marshall of the English army, defeated, routed, and slain by the Irish under Hugh O’Neill, Earl of Tyrone, who (to increase the affliction), was Sir Henry’s brother-in-law—his youngest sister, Ursula, having run off with that Irish hero, and married him, in spite of all Sir Henry’s efforts to prevent it. Colonel Walter Bagnal, Dudleigh’s grandson, “bulletted alive”¹ by the Republicans; and the estates of this Englishman, at little more than three removes, confiscated in the Doomsday Book of Ireland as those of an “Irish Papist,”—his widowed wife heart-broken, dying bereft of reason; her eldest son, George, slain fighting against the cruel foes of his family and country; her two other orphan sons separated, and brought up under Puritan guardianship; her daughter, through the corrupt arts of her father’s and mother’s murderer, Chief Baron Corbet, married to his nephew, who occupies their ancestral halls.

At length, we find Dudley restored to this hereditary estate, only to be driven thence in terror with his family to France, to escape the dangers of the fanatical fury of the period of the Popish Plot. He returns from this retreat to be again driven from his estate for ever, and to be reduced to live the end of his chequered life, as he had lived the beginning, on the doles dealt out in pity by the power

¹ See Appendix No. II., *infra*, for some interesting details relative to Sir Walter Bagnal’s death, discovered after the above was in type.

PEDIGREE OF T

SIR NICHOLAS BAGENAL = ELLEN, d. and co-heiress of
 Marshal-General of the Vice-
 regal Army in Ireland, and
 knighted in 1566 (Carew MSS.
 p. 621); d. 1590.
 Edward Griffith of Pen-
 rhyn, N. Wales.

SIR HENRY BAGENAL = Eleanor, d. of
 Knight, made Mar- Sir John Sa-
 shal in room of his vage of Rock-
 father, May 13, 1583 Savage.
 (Lib. Mun., part ii.
 p. 109); born 1556;
 killed at the Battle
 of the Blackwater,
 county of Armagh,
 1598.

AMBROSE,
 d. s. p.

RALPH,
 d. s. p.

EDWARD,
 d. s. p.

FRANCES, wife of
 Oliver Plunket,
 Lord Louth, d.
 Mar. 5, 1607.

Catherine, d. of Patrick Nangle
 Baron of Navan.

ARTHUR = Magdalen, d. of Sir Richard Trevor
 d. 1643. of Trevalyon, Denbighshire.

GRIFFITH,
 d. s. p.

ROGER,
 d. s. p.

JOHN,
 d. s. p.

MARY, wife of Sir
 Jas. Bodwell of
 Carnarvonshire.

Sir Robert = ELEANOR = Thomas Needham,
 Salisbury, knt. of Shenton in
 Cheshire, Esq.

ROBERT NEEDHAM = Mary, d. of
 Henry Harto-
 of Surrey, Esq.

NICHOLAS = Lady Anne, d. of Earl of Ailesbury.
 d. 1712, s. p. Secondly—SIDNEY, d. of Sir Robert
 Grosvenor of Eaton, Chester.

Nicholas, by his Will dated November 13, 1708
 (therein styled "Nicholas Bagenal of *Pluce New-
 ick*, in the county of Anglesey"), devised his lands
 to his worthy cousins, Edward Baylie of Gorse-
 nen, county of Caernarvon, and Robert Needham, Esq.,
 then at Jamaica, and their heirs for ever.

3rd and 4th February, 1715.—A partition, under
 which Baylie took the Louth estates and undivided
 moiety of some townlands in the county of Down
 (sold in the Incumbered Estates Court, Marquis
 of Anglesey, owner, in 1857, for 22,000*l.*), and
 Needham took the Down estate.

4 Geo. II. (A. D. 1731).—A Private Act, for ex-
 emplifying the Will of Nicholas Bagenal, and
 directing that the exemplification of the Will be
 taken notice of in all Courts, as the original re-
 cites that said Edward Baylie and Sir Robert
 Needham are both heirs-at-law and devisees.

WALTER = Elizabeth Plunkett,
 of Dunleckney; daughter of Chris-
 put to death by topher Roper, Lord
 High Court of Teynham; widow of
 Justice at John Plunkett of
 Kilkenny, Dunsoghly.
 October, 1652.

NICHOLAS.

CAPTAIN GEORGE B., eldest son ;
 slain in Ireland
 in the King's ser-
 vice (see King's
 Letter of Feb.,
 1660-1, *supra*, p.
 177).

Anne, only d. of = DUDLEY = Anne, d. of J.
 Edward Butler d. July 27, Mathew of
 of Ballyragget, 1712, at Thomastown.
 Co. Kilkenny, Bruges in
 Esq. Flanders.

HENRY, d.
 in Dublin,
 Dec. 17,
 1673.

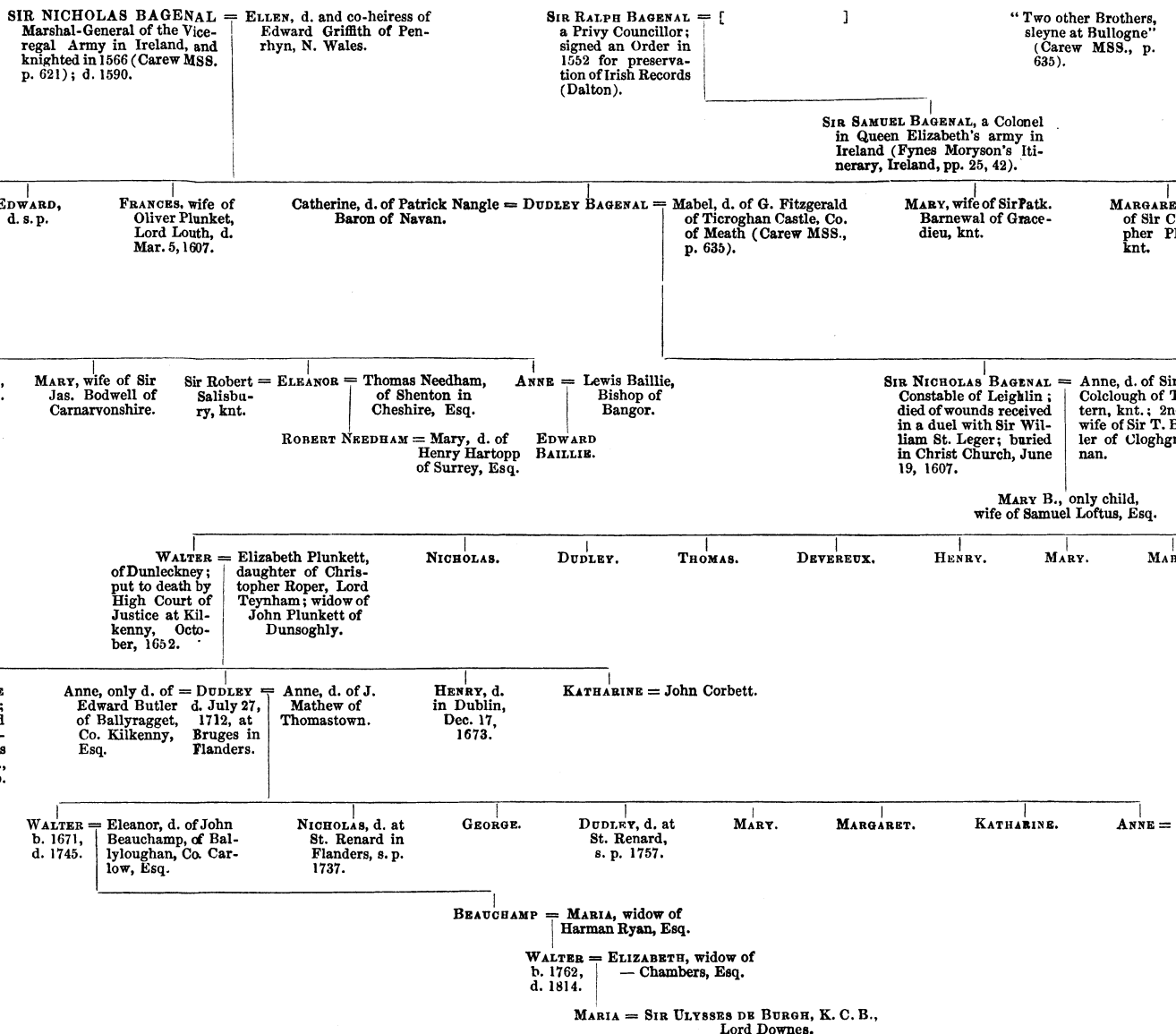
WALTER = Eleanor, d. of John
 b. 1671, Beauchamp, of Bal-
 d. 1745. lyloughan, Co. Car-
 low, Esq.

NICHOLAS, d. at
 St. Renard in
 Flanders, s. p.
 1737.

GEORGE

BEAUCHAMPE

PEDIGREE OF THE BAGNAL FAMILY.



* See the Letters of Sir Henry Bagenal, of Hugh Earl of Tyrone, and of the Bishop of Meath, describing the elopement and marriage ("Journal" of the Kilkenny Archaeological Society, new series, vol. i. p. 298).

BAGNAL FAMILY.

BAGNAL = []
Clerk;
der in
serva-
records

"Two other Brothers,
sleyne at Bullogne"
(Carew MSS., p.
635).

SIR SAMUEL BAGNAL, a Colonel
in Queen Elizabeth's army in
Ireland (Fynes Moryson's Iti-
nerary, Ireland, pp. 25, 42).

= Mabel, d. of G. Fitzgerald
of Ticroghan Castle, Co.
of Meath (Carew MSS.,
p. 635).

MARY, wife of Sir Patk.
Barnewal of Grace-
dieu, knt.

MARGARET, wife
of Sir Christo-
pher Plunket,
knt.

ISABEL, wife of Sir
Edward Kynas-
ton of Ottey in
Salop, knt.

ANNE, wife of Sir
Dudley Loftus,
s. of Adam Lof-
tus, Ld. Chan-
cellor.

URSULA, wife of
Hugh O'Neill,
E. of Tyrone*.

llie,
of
.

SIR NICHOLAS BAGNAL
Constable of Leighlin;
died of wounds received
in a duel with Sir Wil-
liam St. Leger; buried
in Christ Church, June
19, 1607.

= Anne, d. of Sir T.
Colclough of Tin-
tern, knt.; 2ndly,
wife of Sir T. But-
ler of Cloghgren-
nan.

Joan, d. of = GEORGE =
Garret Fitz-
gerald of Kil-
kea, in Co. of
Kildare; first
wife.

Joan Butler,
d. of Walter,
eleventh Earl
of Ormond.

ELINOR, wife of
Sir T. Colclough
of Tintern; 2dly,
of Luke Plunkett,
Earl of Fingal.

ADAM B.

MARY B., only child,
wife of Samuel Loftus, Esq.

THOMAS.

DEVEREUX.

HENRY.

MARY.

MABEL.

RANDOLPH,
d. young, s. p.

= John Corbett.

l. at
rd,
37.

MARY.

MARGARET.

KATHARINE.

ANNE = Sir Gervas Clifton, Bart.

ow of
l, Esq.

BETH, widow of
Chambers, Esq.

SIR ULYSSES DE BURGH, K. C. B.,
Lord Downes.

These names of the younger children of Dudley Bagnal are given in the claim made in the Court for Sale of the Forfeited Estates on their behalf. See "List of Claims as they are entered with the Trustees at Chichester House, College-green, Dublin, on or before 10th of August, 1700. Folio. Dublin: printed by Joseph Ray, are to be sold by Patk. Campbell, Bookseller, in Skinner-row. 1701."—Copy in King's Inns Library. The claims are printed at p. 185 *supra*.

Earl of Tyrone, and of the Bishop of Meath, describing the elope-
æological Society, new series, vol. 1. p. 298).

that confiscated his lands, and to die, at last, in poverty and exile, abroad. A tabular view of these vicissitudes will be found in the Pedigree of the Bagenals, which faces this page.

Yet the fate of this family was a common one to befall the family of the Englishman settling in Ireland during the 17th century. The possession of Irish lands brought, almost invariably, in its train, some or all of the following misfortunes within a period of three descents:—One of the family, through his dealings with his Irish estate, will be found murdered by the Irish; or of the sons and daughters, some having intermarried with the Irish, their children will have become Irish, often “as Irish as the Irish themselves;” and the possessor of the property having adopted the recklessness of a people without a future, the family estate, either through treason, or debt contracted in a course of wild Irish hospitality, will have sunk into the vortex of one of those Forfeited Estates Courts, so frequent in the annals of the kingdom.

Thus, tracing all the misfortunes that befel Colonel Walter Bagnal and his family to the sympathy with the Irish induced by his marriage—a connexion that so often became the cause of woe to the English settling among them—one is the less surprised at the careful foresight of Sir Jerome Alexander, an English lawyer, who condescended to take the office of a Puisne Justice of the Court of Common Pleas in Ireland at the Restoration.¹ By a provision of his will, approvingly referred to in a treatise already cited, on the importance of introducing foreigners into Ireland to supply English settlers with husbands for their daughters, and wives for their sons, and thus to diminish the necessity for their matching with the Irish, Sir Jerome forbade his daughter to marry an Irishman. But this shrewd observer, not confining the term to native or Milesian Irish, extended it to degenerate English, i. e. such as were called Irish landlords, or those resident in Ireland, who, in contradistinction to pure, thorough-bred Englishmen, are ordinarily known by what another author, also cited, called “the odious character of Irishman.” The will bears date on the 20th March, 1670 (he died in the month of August following); and here is the clause, drawn with all the technical skill of an accomplished lawyer:—

“I do make my said daughter, Elizabeth Alexander, my sole executrix of this my last will and testament, provided always and upon this further condition, that if my said daughter, Elizabeth Alexander, shall, at any time after my decease, marry and take to husband any lord of Ireland, by what name or title soever he bears, or the sonn of any such lord, nobleman, or noblemen, whatsoever, or any Archbishopp, Bishopp, P’late, or any Knight-Baronett, or Knight and Baronett, Esquire, Gentleman, or any Irishman,

¹ Sir Jerome Alexander, Knt., Justice of the Common Pleas, Patent, dated Dublin, 29th January, 1660–1. “Chronicle of the

Law Offices of Ireland.” By Constantine J. Smyth, M. A., of Lincoln’s-Inn, 12mo. London. 1839.

Or that come of an Irish extraction and descent that have been born and bred in the kingdom of Ireland and that have his meanes and relations there and his fortune and meanes of subsistence, or any Papist or Popish recusant, that then in such case I do hereby declare all the gifts, legacies, and bequests whatsoever which I have herein given and bequeathed unto the said Elizabeth Alexander as aforesaid, to be utterly void and frustrate to all intents in purposes in Law whatsoever.”¹

But if the English adventurer found of times these calamitous consequences from settling in Ireland in the seventeenth century, the results to the Irish were still more fatal. To turn from the Bagnals to the dispossessed Irish of Idrone, we find them houseless and desperate from injuries and poverty, betaking themselves to the woods and wilds, turning Tories, and becoming fierce and destructive as the wolves, their companions of the forest.

As their leaders of gentle birth or blood died off, or were killed, they were not replaced; but the ranks of these outlaws were still recruited from the lower and the poorer class.

In this state they presented, at the end of thirty years, to the historian of the War of the Revolution, under the name of Rapparees, an aspect so fierce, so wan, and wild, that his commentator is appalled at the spectacle. He starts at the “hideous ferocity” of these Irish, “remaining untameable after so many ages since British civilization was first planted in Ireland; exhibiting man, like the solitary hyena, that could neither be domesticated nor extirpated, prowling over the grave of society, rather than its habitation²—Ireland thereby realizing the fate foretold for another nation: ‘I will bring your sanctuaries and your land into desolation . . . and your enemies who dwell therein shall be astonished at it.’”³

Like the same nation, too, the Irish of the seventeenth century were “scattered among all people, from one end of the earth unto the other,” carrying with them into foreign lands their enduring hostility—entering the armies of the enemies of their country, or (like the last of those accomplished gentlemen the Moors of Spain, who, driven from their native Andalusia, in 1610, became the first of those pirates called Saltee Rovers, in hatred of the injustice of the Christians,⁴) manning French privateers, and robbing and insulting the coasts of the land of their birth, from which they had been cast out.⁵

¹ Extracted from the original, in the Court of Probate. His will is dated the 20th March, 22nd Charles II. (A. D. 1670.) Probate, 30th August, 1670.

² *Res gestæ Anglorum in Hiberniâ*, ab anno 1150, usque ad 1800, being a preface to “*The Liber Munerum Publicorum*, or the Establishments of Ireland during 675 years,”

being the Report of Rowley Lascelles, of the Middle Temple: ordered by the House of Commons to be printed, 1814. Vol. i., p. 93.

³ Leviticus, xxvi., 31, 32.

⁴ “Mahomedan Dynasties of Spain, by an African author of the year 1620.” Vol. ii., p. 392. Printed for the Oriental Society.

⁵ 9th William III., c. 9, sec. 5.